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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 2803/2017

MOHD REHAN

.... Petitioner

Represented by: Mr.Jitendra Sethi with
Mr.Ambar Tewari and
Mr.Aditya Madan, Advocates

versus

STATE, NCT OF DELHI

... Respondent

Represented by: Ms.Kamna Vohra, ASC with SI
Suman, PS Paharganj

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

29.11.2017

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1. By this petition the petitioner seeks preponement of the date before the Trial Court in FIR No.386/16 registered under Sections 376-D/363/120-B/228-A/506 IPC read with Section 6/8/17 of the Protection of Children from Sexual Offences Act (POCSO) registered at PS Pahar Ganj, New Delhi.

2. The grievance of the petitioner in this case is that after five witnesses were examined till 15th September, 2017, the next date given by the learned Trial Court is after 4½ months.

3. The petitioner was arrested in the above noted case on 7th November, 2016. Charges were framed against the petitioner on 8th March, 2017. The learned Trial Court has already partly examined the prosecutrix

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and four other witnesses. The learned Trial Court has given the dates as per its docket and a perusal of the dates given shows that the Court has given 3 dates continuously every time. How to adjust the board is within the domain of the court. The court having examined five witnesses within one year considering the number of cases pending before the Trial Court, this Court cannot return a finding that there is delay in the trial. Further, the petitioner is involved in as many as 30 cases and thus, he would be required to be produced in other cases in other courts as well.

4. At this stage, this Court finds no ground to consider the prayer of the petitioner to pre-pone the next date of hearing before the learned Trial Court.

5. Petition is dismissed.

MUKTA GUPTA, J.

NOVEMBER 29, 2017

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