

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No. 1562 OF 2018

ORDER:

Heard learned counsel for the petitioners and learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

2. This petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), to direct the learned XVI Additional District and Sessions Judge at Malkajgiri (for short, 'the Court below') to complete the trial and dispose of S.C.No. 804 of 2017 pending on its file within a period of two months and also contended that Section 309 Cr.P.C. requires the conduct of day to day trial of criminal cases.

3. Admittedly, in view of the mandate given under Section 309 Cr.P.C., the trial of the criminal cases is required to be conducted on day to day basis. If it is to be adjourned more than a day, the Court has to assign reasons. As seen from the record, the Sessions Case Number is 804 of 2017. It goes to show that so many other sessions cases are pending on the file of the Court below. When there are so many cases pending, the Court below has to give priority to the old cases and take the cases on first come first serve basis. Learned counsel for the petitioners contended that the petitioners have no livelihood and once the case is decided, they will make their own arrangements to eke out their livelihood.

4. In view of the circumstances narrated, it is appropriate to direct the Court below to dispose of the above sessions case within a period of ten months from the date of receipt of a copy of this order.

5. With the above direction, the criminal petition is disposed of. Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed in consequence.

12th February, 2018
JSK

Dr. SHAMEEM AKTHER, J.

