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

+ **BAIL APPLN. 2091/2018**

MOHD ZUBAIR

..... Petitioner

Represented by: Mr. Sanjay Sharma and Mr. Saurabh
Tyagi, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms. Rajni Gupta, APP with Insp.
Vijay Kumar, PS Sadar Bazar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.10.2018

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1. By this petition, the petitioner seeks bail on the ground that the petitioner has been in custody since 16th August, 2014, however, till date the trial had not concluded despite directions of this Court vide order dated 31st January, 2017 to expedite the trial and conclude the same as expeditiously as possible.

2. Since the petitioner was in custody since 16th August, 2014 this Court had called for a report from the learned Trial Court explaining the reasons for delay in conclusion of the trial. Report has since been received. As per the report the delay was for the reason an additional charge under Section 25 and 27 of the Arms Act had to be framed against the accused on 10th September, 2018 to which he pleaded not guilty and thus an opportunity was

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given to recall any witnesses qua additional charge which opportunity was availed by the accused. Now the prosecution evidence is concluded and the trial is at the stage of recording of statement of the accused under Section 313 Cr.P.C. on 16th October, 2018.

3. The explanation in the later part of the report is only with regard to the delay beyond September, 2018, however, orders were passed by this Court wayback on 31st January, 2017 requesting the learned Trial Court to expedite the trial and conclude the same as expeditiously as possible.

4. Be that as it may since prosecution evidence has now been completed and the trial listed for examination of the accused under Section 313 Cr.P.C., this Court finds no ground to grant bail to the petitioner.

5. Learned counsel for the petitioner states that the petitioner is the sole accused in the trial and he would be examining only two defence witnesses.

6. Petition is disposed of directing the learned Trial Court to conclude the trial within four months from the next date of hearing.

7. Copy of this order be communicated to the learned Trial Court by the Registry.

8. Order dasti.

MUKTA GUPTA, J.

OCTOBER 10, 2018
‘yo’