

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2485 of 2018

Anurag Bacchhan, S/o. Vinaykant Bacchhan, Aged About 36 Years, R/o. Prizad Extension, Police Station- Civil Lines, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through S.H.O. Civil Lines, Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Krishna Tandon, Advocate

For Respondent : Mr. S.R.J.Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.01.2019

Heard

1. The present petition is for direction to conclude the Criminal Case bearing No.3900/2015 within the stipulated time, which is pending for the offence under Section 379 read with Section 34 of I.P.C. emanating from Crime No.656/2015.
2. Learned counsel for the applicant submits that the criminal case is pending since 2015 and because of one of the co-accused is absconding, therefore, the case of the present applicant who is also one of the accused is being adjourned. It is submitted that under the circumstances, some direction may be given to the trial Court to conclude the trial within the stipulated time. He relied on the judgment dated 09.03.2017 passed in Criminal Appeal No.509 of 2017 by the Supreme Court and further relied in case of *Abdul Rehman Antulay & Ors. v. R.S.Nayak & Anr.* reported in (1992) 1 SCC 225.
3. Perused the order of the Judicial Magistrate First Class. It appears that one of the co-accused Sanni Yadav is absconding, therefore,

the present applicant who appears to have appearing in all the dates, the dates are being adjourned. Nothing is on record to show what effort has been taken by the State to catch hold of the other co-accused Sanni Yadav. Taking into the nature and gravity of this case, it is directed that the trial Court shall be obliged to decide the case within a further period of six months from the date of receipt of a certified copy of this order and conclude the proceeding finally in respect of the accused/applicant.

4. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge