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

+ **W.P.(CRL) 1531/2019**

VIJAY GROVER & ORS

..... Petitioners

Through

Ms.Manmeet Arora,
Mr. Rishabh Sureka,
& Ms. Swati Sharma, Advs.

versus

STATE (NCT OF DELHI

..... Respondent

Through

Mrs. Kamna Vohra,
Ld. ASC for State along with SI
Pradeep Kumar, PS Paschim Vihar
(West).

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

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11.10.2019

1. This is a petition filed by the petitioner under Article 226 & 227 of the Constitution of India r/w. Section 482 Cr.PC for expediting the proceeding pending before Ld. MM Ms. Aanchal, Tis Hazari Courts, Delhi in the case FIR No. 130/12, u/s. 498-A, 406, 395 & 34 IPC, PS Mianwali Nagar.
2. It is prayed that the petitioners are senior citizens and directions be issued to the Ld. MM to prepone the next date of hearing which is 03.02.2020 and also fix the time frame to complete the proceedings before the Ld. Trial Court.
3. Ld. Addl. Standing Counsel has submitted that FIR bearing no.

130/2012 in case was lodged on 01.06.2012 against the accused persons. After completion of investigation, chargesheet was filed on 01.01.2015. The Ld. ASJ vide order dated 22.04.2019 has discharged the petitioners under Sections 395 & 412 IPC and remanded back the case to the Ld. MM for trial under Section 498A/406/34 IPC. It is submitted that thereafter the Ld. MM has taken up the matter on 06.5.2019, 13.05.2019 & 23.05.2019 and the next date is fixed for 03.02.2020 at the request of Ld. Counsel for the accused nos. 2 to 5. Ld. Addl. Standing Counsel has submitted that there is no delay on the part of the Ld. MM.

4. I have considered the rival submissions. Perusal of the record reveals that the case was first listed before the Ld. MM on 06.05.2019. On the said date, an exemption application was filed by one of the accused Ravi and the same was allowed and case was listed for consideration for 13.05.2019. On 13.05.2019 again an application was filed for exemption of one of the accused ie. accused no.3. The same was also allowed by the Ld. MM, in the interest of justice and the case was listed for 23.09.2019. On 23.09.2019 also an application was filed for exemption of one of the accused i.e. accused no.6. The said application was also allowed. Fresh vakalatnama was filed on behalf of accused nos. 2 to 5. The same was taken on record and time was sought to go through the record. In these circumstances, the case was adjourned for arguments on the point of charge on 03.02.2020. Perusal of record, thus, reveals that there was no delay on the part of the Ld. MM. The next date i.e. 03.02.2020 was given on the request of Ld. Counsel for accused nos. 2 to 5 who had sought time to go through the record. In these circumstances, the present petition is devoid of merits and same is dismissed. However, since petitioners are senior citizens, the Ld. MM is

directed to make all endeavours to dispose of the case as expeditiously as possible.

BRIJESH SETHI, J

OCTOBER 11, 2019
AP