

\$~5

via Videoconferencing

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P. (CRL.) 1036/2020 & Crl. M.A. No.8900/2020 (exemption)

VATEENA BEGUM Petitioner
Through: Mr. Mohd. Azam Ansari, Advocate.

versus

STATE OF NCT OF DELHI Respondent
Through: Mrs. Nandita Rao, ASC for the State.

CORAM:
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER
% **08.07.2020**

The petitioner's grievance is that the learned Magistrate who had heard arguments on the petitioner's application under section 156(3) Cr.P.C. in Complaint Case No.43611/2019 titled *Vateena Begum vs. Shamim Zafar* in February 2020, has not pronounced orders in the matter till date.

2. A perusal of the order sheets enclosed with the petition shows that arguments on the section 156(3) application were heard on 19.02.2020 ; whereupon the matter was posted for orders on 11.03.2020. On 11.03.2020 however, the petitioner moved an application seeking clarification of order dated 19.02.2020 and submitted that the judgments relied upon by the petitioner/complainant during arguments be mentioned in order dated 19.02.2020. This application was rejected by

the Magistrate, observing that there is no requirement for the court to mention the arguments raised and judgments relied upon in order dated 19.02.2020 ; and that those details will be included in the final order. The matter was then posted for orders to 28.03.2020.

3. Thereafter, by reason of the lockdown and the consequent restricted functioning of courts and in view of the general directions issued by the High Court, the matter got adjourned to 16.05.2020.

4. In the meantime, by circular dated 04.05.2020 issued by the District & Sessions Judge, South District, Saket Courts, New Delhi, based upon directions issued by the High Court, all judicial officers were directed to ensure that judgments in matters where arguments have been heard and orders/judgments reserved, be pronounced through Video-Conferencing, without however specifying any specific timelines for pronouncement.

5. Mr. Mohd. Azam Ansari, learned counsel for the petitioner however submits that despite orders on the section 156(3) application having been reserved as far back as on 19.02.2020, orders have still not been pronounced. He further points-out that the petitioner moved an application dated 02.07.2020 before the learned Magistrate, praying that orders on the application be pronounced, which application however did not get listed.

6. Ms. Nandita Rao, learned ASC appears for the State on advance copy.

7. Upon a conspectus of the facts and circumstances of the case, it is deemed appropriate to dispose of the present petition, with a request to the learned Magistrate that orders on the application under section 156(3) Cr.P.C. moved in Complaint Case No.43611/2019 be pronounced as expeditiously as possible and preferably within 03 weeks from today.
8. Petition stands disposed of.
9. Pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J

JULY 08, 2020

Ne