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

+ **W.P.(CRL) 1461/2020**

ABHIJEET CHAUDHARY

.....Petitioner

Through: Mr. Rishi Sood, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Sanjay Lao, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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16.09.2020

CRL.M.A. No. 12744/2020 (for exemption)

Exemption allowed, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 1461/2020

The petitioner, who is an under trial in a case FIR No. 932/2016 dated 01.11.2016 registered under sections 3/4 of the Maharashtra Control of Organised Crime Act, 1999 at P.S.: K.N. Katju Marg, seeks a direction that his long-pending regular bail application be decided expeditiously by the learned Sessions Court.

2. Mr. Rishi Sood, learned counsel for the petitioner submits that the FIR in the matter was registered on 01.11.2016; charge-sheet was filed against 05 accused persons on 27.12.2017; whereupon, the applicant

moved a bail application bearing the date 12.02.2018, which was however filed sometime in April 2018.

3. Mr. Sood submits that as is evident from the order-sheet annexed with the petition, the bail application has been pending since May 2018 ; and although the application has been heard on several occasions before different encumbents, the same has not been decided till date. Copies of orders dated 25.05.2018 onwards of the learned Sessions Court have been annexed with the petition which bear-out the submissions. Counsel submits that the bail application was last heard on 11.09.2020, when again, it was not decided but only posted to 30.09.2020.
4. Issue notice.
5. Mr. Sanjay Lao, learned ASC appears for the State on advance copy and accepts notice. Mr. Lao submits that while the order-sheets of the learned Sessions Court bear-out that the applicant's bail application has been pending since May 2018, it will be noticed that the accused persons, including the applicant, are at the same time also arguing on framing of charges. Mr. Lao accordingly submits that since the charge-sheet is bulky and arguments are proceeding simultaneously on the applicant's bail application as well as on the framing of charges, perhaps for this reason, the matter has got delayed.
6. Mr. Lao of course does not oppose a time-bound disposal of the bail application.
7. While arguments on framing of charges may take some time, considering there are 05 accused persons who have been charged in the matter so far, with one accused stated to be absconding, this court sees no justification for a bail application to remain pending since May 2018.

8. Accordingly, the present petition is disposed of with a direction to the learned Sessions Court to decide the applicant's pending bail application expeditiously, and in any case within 30 days from today, after hearing the applicant in the matter.
9. The writ petition stands disposed of.
10. Other pending applications, if any, also stand disposed of.

ANUP JAIRAM BHAMBHANI, J.

SEPTEMBER 16, 2020/uj