

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 435 of 2021

Sunil Agrawal, S/o. Late Shri L.N. Agrawal, aged about 71 years, R/o. 1/45, Motilal Nehru Nagar (East Bhilai), Police Station - Supela, District - Durg Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through : In Charge of Police Station, Durg, District Durg Chhattisgarh.
 2. Yadvinder Singh Dulal, S/o. Shri Sarabjit Singh, aged about 50 years, R/o. Opposite Durg ITI, Shahid Veer Narayan Singh, GE Road, Post - Khursipar, District Durg Chhattisgarh.
 3. Pooja Dulal, W/o. Yadvinder Singh Dulal, aged about 45 years, R/o. Opposite Durg ITI, Shahid Veer Narayan Singh, GE Road, Post - Khursipar, District Durg Chhattisgarh.
 4. Mrs. Tankranti, W/o I.A. Dhas, aged about 50 years, R/o. Opposite Durg ITI Shahid Veer Narayan Singh, GE Road, Post - Khursipar, District Durg Chhattisgarh.
 5. Sivan Pillai, S/o. Late Shri Sunderam Pillai, aged about 59 years, R/o. Om Parisar, Kailash Nagar, Police Station Jamul Durg, District Durg Chhattisgarh.
 6. Nimish Kothari, S/o. Late Shri Raghuweer Kothare, aged about 61 years, R/o. Fort Chamber, A Ambala Doshi Marg, Mumbai, Maharashtra, District Mumbai, Maharashtra
- Anil Agrawal, S/o Late L.N. Agrawal (Since Died)

---- Respondents

For Petitioner : Mr. Manoj Paranjpe, Advocate

For State-Respondent : Ms. Hamida Siddiqui, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

06/09/2021

1. This petition has been brought seeking issuance of direction to the learned trial Court for expeditious trial in the case concerned.
2. It is submitted that on the complaint made by the petitioner, FIR has been registered under Crime No.996 of 2013 for the offence under Section 420, 467, 468, 471, 34 of the Indian Penal Code. The

investigation in that case was kept pending and lingering on. Thereafter, the petitioner preferred a W.P.(Cr.) No. 490 of 2019, in which, this Court by order dated 02.09.2019, ordered the concerned police authorities to complete the investigation and file final report within a time frame, subsequent to which, charge-sheet has been filed, before the trial Court on 30.11.2019.

3. It is further submitted that this prosecution is based on the complaint made by the petitioner in the year 2013 and already a long time has elapsed. The petitioner is an old aged person. Another circumstances that has appeared is this that one of the accused has died. The petitioner himself is old age person of more than 70 years, therefore, he has apprehension, if the, trial is not taken up expeditiously, then the whole prosecution will become infructuous. Therefore, it is prayed that direction be issued to the Court to expedite the trial.
4. Learned State counsel has no objection.
5. Considered on the submissions. Looking to the circumstances present in the case, the prayer made in this petition is allowed and the this petition is disposed off. The learned trial Court is directed to take up the proceeding on the basis of the complaint made by the petitioner expeditiously and conclude the same preferably within a period of one year from the date this order is passed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge