



* IN THE HIGH COURT OF DELHI AT NEW DELHI

Reserved on : 07.01.2022

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Pronounced on : 26.04.2022

+ CRL. M.C. 2624/2021

SHEETAL MAKOL

..... Petitioner

Through: Mr. Sharad Malhotra, Adv.

versus

STATE OF NCT OF DELHI & ANR.

... Respondents

Through: Mr. K.K.Ghei, APP for the State.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

JUDGMENT

RAJNISH BHATNAGAR, J.

Crl. M.A.16961/2021 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CRL. M.C. 2624/2021 and Crl. M.A No. /2021(to be numbered)

1. By way of the present petition, the petitioner is seeking directions to the trial court to not conduct the trial in haste and instead conduct trial in a normal way like any other regular case trial of the complaint case while expediting the process of blue corner notice proceedings so as to gather more evidence against the accused who is absconding since 03.01.2010 and



to consider the medical condition of the petitioner while conducting the trial in the complaint Case No. 5/3/2016 (Case No. 4990376/2016) titled Sheetal Makol Vs. Vineet Makol&Ors., presently pending before the court of Sh. Ashish Kumar Meena, MM-02, South West, Dwarka Courts, Delhi.

2. I have heard the learned counsel for the parties and perused the records of this case.

3. Learned counsel for the petitioner submitted that the petitioner is approaching this Hon'ble Court seeking directions to the trial court to conduct the trial in normal course as Ld. trial court has failed to appreciate the directions contained in the order dated 22.03.2021 in its true letter and spirit does not simply direct the trial court to finish the case in a jiffy but to make earnest efforts to dispose it expeditiously in the facts and circumstances of the case. It is further submitted that the petitioner is not medically sound and has been advised rest and treatment by the doctors, which would take time and the petitioner needs rest to cope up with her current medical condition as well as the condition of her mother and in these circumstances if she is made to attend the court every week, that would seriously prejudice the case of the petitioner as she needs to prepare for her case as well.

4. Learned APP for the state submitted that this Hon'ble court in *Bail Application 2002/2019 vide Order Dated 22.03.2021* has already passed necessary directions to the trial court to make earnest efforts to expeditiously dispose of Complaint Case No. 5/3/2016 (Case No. 4990376/2016) in the facts and circumstances of the case.



5. Perusal of the *Order Dated 22.03.2021 in Bail Application 2002/2019* shows that the trial court has been directed to make earnest efforts to expeditiously dispose of Complaint Case No. 5/3/2016 (Case No.4990376/2016) in the facts and circumstances of the case. Therefore, keeping in view the fact that the requisite directions hitherto stand passed by the aforesaid order, the prayers in the present petition seeking that the trial court shall not conduct proceedings hastily appears to be devoid of any merit and thus, no further directions are required to be passed in the present petition and in case the petitioner has some medical issues the same can be brought to the notice of the Trial Court.

6. However, learned Trial Court shall make all endeavours to conduct the trial expeditiously and shall grant fair and just opportunity to the petitioner to make her submissions in the said matter.

7. The prayers are untenable in law. Hence, this Court does not deem it appropriate to issue notice to the respondent. The present petition is devoid of any merit and therefore, deserves to be dismissed. Pending application, if any, is also disposed of accordingly.

RAJNISH BHATNAGAR, J

APRIL 26, 2022/AK