IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.MPM No. 2776 of 2024
Date of Decision: 19.12.2024

Smt. Anita

.....Petitioner

Versus

State of Himachal Pradesh

.....Respondent

Coram
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Sangram Singh Chandel and Mr. Prikshit Rathour, Advocates.

For the Respondents: Mr. Anup Rattan, Advocate General withMr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General.

Sandeep Sharma, J. *(Oral)*

Respondent-State has filed status report and HC Hemant Kumar, PS Kasauli, District Solan, Himachal Pradesh has come present with record.

2. Learned Additional Advocate General on instructions of the Investigating Officer, though states that criminal trial arising out of FIR No.48/2018, dated 7.7.2018, registered at PS Kasauli, District Solan, Himachal Pradesh, under Sections 302, 201 120-B, 380, 411, 354D, 506, 342, 449 and 328 of Indian Penal Code and Section 8 of the POCSO Act is on the verge of the conclusion. He states that statement of the accused

under Section 313 CrPC has been already recorded and matter has been fixed for final arguments.

3. Aforesaid statement given by the learned Additional Advocate General stands duly acknowledged by learned counsel for the petitioner. If it is so, there is no point in considering the prayer made in the instant petition for grant of bail at this stage.

4. Faced with aforesaid situation, learned counsel for the petitioner seeks permission to withdraw the present petition at this stage with liberty to file afresh at appropriate stage, if required and desired. Ordered accordingly. Having taken note of the fact that bail petitioner is behind bars for more than six years coupled with the fact that court below has already fixed the matter for final arguments on 10.1.2025, this Court hopes and trusts that all out efforts shall be made by the court below to conclude the trial expeditiously, failing which this Court shall have no option, but to consider prayer made by the petitioner for grant of regular bail on account of inordinate delay in conclusion of trial.

5. Needless to say, this Court on judicial as well as administrative sides, has been repeatedly advising the courts below to conclude the trial of under trials on top most priority so that their freedom is not curtailed for

an indefinite period. Registry is directed to apprise the court below with regard to passing of the instant order.

December 19, 2024 **(Sandeep Sharma),**
(manjit) **Judge**