



CRM-M-33599-2024

Date of Decision: 17.07.2024

Satbir

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Sanjiv Kumar Aggarwal, Advocate, for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 with a prayer to direct the respondent to release the petitioner from the judicial custody in case FIR No. 137, dated 26.03.2015 under Sections 420 and 406 of IPC, registered at Police Station, Civil Lines, District Rohtak as the petitioner had already completed the sentence of 07 years, which was awarded by the trial Court. In the alternative prayer has been made to direct the Additional Sessions Judge, Rohtak to decide the criminal appeal bearing No. CRA-61-2019 titled as "Satbir Vs. State of Haryana", expeditiously.

2. Notice of motion.

3. On the asking of the Court, Ms. Sheenu Sura, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State.

4. I have heard learned counsel for the parties and perused the record.

5. From the record, it is apparent that the criminal prosecution was launched against the petitioner on the basis of one FIR No.137 under Sections 420 and 406 of IPC at Police Station Civil Lines, District Rohtak, which was registered on 26.03.2015. After presentation of the challan, the trial



commenced before the Court of Additional Chief Judicial Magistrate, Rohtak and vide judgment of conviction dated 14.03.2019 and order of sentence dated 19.03.2019 (Annexures P-1 and P-2) respectively, the present petitioner was convicted for the offence punishable under Section 420 of IPC and was sentenced to undergo simple imprisonment for a period of 07 years and to pay a fine of Rs.42,00,000/- (Rupees Forty Two lakhs).

6. Feeling aggrieved, the petitioner had filed an appeal No.CRA-61-2019 before the Sessions Court, Rohtak, which is stated to be pending before the Court of Mr. Salender Singh, Additional Sessions Judge, Rohtak on 22.07.2024.

7. Learned counsel for the petitioner submits that at this stage, the petitioner would be satisfied in case an appropriate direction is issued to the Appellate Court to decide the appeal preferred by the petitioner within fixed time period.

8. After hearing learned counsel for the parties, this Court finds that the submissions made by learned counsel for the petitioner carry weight and are liable to be accepted. Consequently, it would be appropriate to direct the Court of Mr. Salender Singh, Additional Sessions Judge, Rohtak to decide the appeal filed by the petitioner within a period of two weeks from the next date of hearing.

9. With these observations, the petition stands disposed off.

(N.S.SHEKHAWAT)
JUDGE

17.07.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No