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

+ **CRL.M.C. 3468/2024**

SAROJ BALA & ORS.

..... Petitioners

Through: Mr. Vivek Sheel and Ms. Deepshikha,
Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Meenakshi Dahiya, APP for State
with Mr. Chaaitanya Jain and
Mr. Shishav Shukla, Advocates with
SI Sudeep Kumar, PS: Bindapur.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **02.05.2024**

CRL.M.A. 13343/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

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1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioners with the following prayer:

“Issue appropriate directions to expedite the proceedings in Sessions Case No. 627/2017 arising from the FIR No. 331/11 PS: Bindapur, as pending before the Court of Ld. ASJ (FTC), South West Delhi.”

2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.

3. Learned counsel for the petitioners submits that late Smt. Rita Chatrath @ Madhavi (complainant) alleged that her husband Late Mr. Ashwini Kumar

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Chatrath (deceased) had died under mysterious circumstances on 30.09.2010, though no suicide note was found and any foul play was ruled out by the complainant. However, later on, on the basis of application under Section 156(3) Cr.P.C., present FIR was directed to be registered by learned MM. Further, after an inordinate delay, chargesheet was filed in the year 2016 and the case is still pending at the stage of charge before learned ASJ, Dwarka Courts, Delhi. Complainant is also stated to have expired in the year 2023.

4. Petitioners are aggrieved with the inordinate delay in commencement of trial, as the case is still pending at the stage of charge over a period of about 07 years after filing of chargesheet and almost 13 years after registration of FIR.

5. Right to speedy trial is a part of fair justice and reasonable procedure implicit in Article 21 of the Constitution of India and is also reflected in Section 309 Cr.P.C. In case of infringement of right to speedy trial, even if the proceedings are not quashed, a time period can be fixed for concluding the proceedings.

Considering the facts and circumstances, learned Trial Court is directed to conclude the arguments on charge in a time bound manner within a period of four weeks from the date of passing of this order.

Petition is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to learned Trial Court for information and compliance.

ANOOP KUMAR MENDIRATTA, J.

MAY 02, 2024/R