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

+ **CRL.M.C. 6067/2024**

KASIM

.....Petitioner

Through: Mr. Mandeep Baisala, Mr. Sharukh Ahmad & Mr. Yashpal Singh, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Hemant Mehla, APP for State.
S.I. Gagandeep, PS Prashant Vihar, Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **06.08.2024**

CRL.M.A. 23199/2024 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CRL.M.C. 6067/2024

3. The present Petition under Section 482 of the Code of Civil Procedure, 1973 (*hereinafter referred to as "Cr.P.C., 1973"*) has been filed on behalf of the petitioner seeking to quash the FIR No. 559/2016 registered under Sections 186/353/332/506 of the Indian Penal Code, 1860 (*hereinafter referred to as "IPC, 1860"*) at Police Station Prashant Vihar, Outer District, Delhi.
4. The basic grievance of the learned counsel for the petitioner is that the FIR was registered in the year 2016 and due to inordinate delay of about eight years, the said matter has yet not been decided finally.



5. Learned counsel on behalf of the petitioner submits that the petitioner was barely 19 years old at the time of registration of aforesaid FIR in the year 2016 and now, the petitioner is 27 years old and is facing hardship of not being able to get any job because of the police verification. Also, the marriage of the petitioner got cancelled on account of pending trial in FIR No. 559/2016.

6. He further submits that the trial is at the stage of cross-examination of the complainant and there are eleven witnesses who are to be recorded. Therefore, it is submitted that due to this inordinate delay, the present FIR may be quashed.

7. Issue notice.

8. Mr. Hemant Mehla, learned Additional Public Prosecutor appearing on advance notice, accepts notice on behalf of the State and submits that the delay in conducting the trial itself cannot be a ground for quashing of FIR.

9. **Submissions heard.**

10. Considering that eight years have already lapsed since the registration of FIR in the year 2016 and the entire life and career of the accused-petitioner is at stake due to inordinate delay in conducting the trial.

11. Therefore, the concerned learned Metropolitan Magistrate is hereby directed to prepare a schedule of dates for recording of evidence of the witnesses and make an endeavour to complete the trial in FIR No. 559/2016 within six months.

12. Insofar as the request of the learned counsel for the petitioner that the petitioner may be permitted to appear through video conferencing before the learned Trial Court is concerned, the petitioner is at liberty to move an appropriate application in this regard before the learned Trial Court to seek



permission to appear virtually, from the concerned Court.

13. With the aforesaid directions, the present petition is disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 6, 2024

S.Sharma