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

+ **CRL.M.C. 56/2024**

RANJIV KHANNA

..... Petitioner

Through: Mr. Deepak Gandhi, Advocate

versus

STATE

..... Respondent

Through: Ms. Richa Dhawan, APP for State
with SI Amit Dagar, Sec-V, EOW.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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04.01.2024

CRL.M.A. 224/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This petition has been filed under Section 482 Cr.P.C. seeking directions to the Trial Court to hear the arguments on charge and pass appropriate orders on framing of charge in FIR bearing No.91/2008 dated 15.03.2008.
4. It is averred in the petition that the present FIR was registered on the complaint of the Petitioner herein under Sections 420/468/471/120-B IPC. Charge sheet was filed against the accused on 25.04.2013 and on finding sufficient material on record, the learned Trial Court took cognizance of the offences as indicated in the charge sheet. It is the contention and grievance of the Petitioner herein that post the filing of the charge sheet and the Court



taking cognizance of the matter, there have been nearly 67 hearings conducted by 9 different Benches and despite multiple rounds of arguments on charge, the case still remains stagnant and without a decision on framing of charge. It is further averred that out of 67 hearings, nearly 30 hearings have taken place where the Accused or their counsel requested for adjournments on different grounds. Final opportunities were granted by the learned Trial Court on 7 different occasions but no adverse orders were passed. Learned counsel for the Petitioner contends that Petitioner is the Complainant in the matter and he is unnecessarily suffering on account of prolongation of the trial despite the fact that he has a decree of the Civil Court in *Civil Suit No.19824/2016* titled *Ranjeev Khanna v. M/s Subhi International P. Ltd. & Others*, in his favour, against which the Appeal was dismissed by this Court.

5. Learned counsel for the Petitioner contends that FIR was registered way back in the year 2008 and the charge sheet was filed in 2013. Since then, the matter has been stagnant till date with no further progress and for no fault of the Petitioner herein. Learned counsel submits that the next date of hearing before the Trial Court is 19.01.2024 for arguments on charge and therefore, appropriate directions be issued to the learned Trial Court to hear the arguments and to pass appropriate orders so that the matter progresses.

6. Issue notice.

7. Learned APP accepts notice on behalf of the State.

8. Having heard learned counsel for the Petitioner and having perused the order sheets placed on record from pages 45 to 113 along with this petition, this Court finds merit in the grievance raised by the Petitioner. The record shows that FIR was lodged in 2008 and charge sheet was filed on



25.04.2013 and there is no substantial progress in the matter before the Trial Court. Therefore, this Court deems it appropriate to dispose of this petition with a request to the learned Trial Court to make an endeavour to hear arguments on charge on the next date i.e. 19.01.2024 and if for any justified reason the arguments cannot be heard, a short date will be fixed for the said purpose. The Trial Court shall ensure that no unnecessary adjournments will be given to the accused on any count, whatsoever.

9. It is made clear that this Court has not expressed any opinion on the merits of the case and it is open to the Trial Court to hear arguments on charge and pass appropriate orders, in accordance with law and in the facts and circumstances of the case.

10. Petition stands disposed of with the aforesaid directions.

JYOTI SINGH, J

JANUARY 04, 2024/kks