2025:UHC:10741

HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Misc Application No. 2117 of 2025

03 December, 2025

Saif Ahmad

--Applicant

Versus

State Of Uttarakhand & another

--Respondents

Presence:-
Mr. Zakir Ali and Mr. Mohd. Umar, learned counsel for the applicant.
Ms. Sweta Badola Dobhal and Mr. Prabhat Kandpal, learned Brief Holders for the State.

Hon'ble Pankaj Purohit, J. (Oral)

This application under Section 528 of the BNSS, 2023 has been filed by the applicant seeking speedy disposal of Special Sessions Trial No. 157 of 2023, *State vs. Saif Ahmad*, under Sections 376, 323, 504 & 506 IPC, pending before the Court of the learned FTC/Additional Sessions Judge (POCSO), District Dehradun.

2. Since, on the previous date, the applicant could not point out how many prosecution witnesses had been examined in the trial, the learned State Counsel was directed to seek instructions regarding the stage of evidence and the number of remaining witnesses.

3. Today, learned State Counsel has supplied instructions to the Court, which are taken on record. On instructions, it is submitted that there are twelve prosecution witnesses in total, of whom, three have been examined so far, and the next date fixed in the case is

17.12.2025.

4. It is contended by learned counsel for the applicant that the applicant is an MBA-qualified youth and, due to the pendency of the present trial, he is unable to secure any employment. He therefore seeks expeditious disposal of the matter within a stipulated time.

5. Since the matter is pending for prosecution evidence and it is not sure as to how many prosecution witnesses were to be examined by the prosecution out of twelve prosecution witnesses, still the applicant has a right to get speedy disposal of the trial as speedy justice is a fundamental right under the Constitution of India.

6. Accordingly, the present C-528 application is allowed. The learned FTC/Additional Sessions Judge (POCSO), District Dehradun, is directed to decide Special Sessions Trial No. 157 of 2023, *State vs. Saif Ahmad*, under Sections 376, 323, 504 & 506 IPC, as expeditiously as possible, but in any case not later than six months from the date of production of a certified copy of this order.

7. Pending application, if any, stands disposed of accordingly.

(Pankaj Purohit, J.)
03.12.2025

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