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

+ **CRL.M.C. 902/2025**

MAHERUDDIN

.....Petitioner

Through: Mr. Nitin Saluja, Ms. Sanskriti Bansal
and Mr. K.S. Jaggi, Advs.

versus

STATE OF NCT OF DELHI ANR

.....Respondents

Through: Ms. Kiran Bairwa, APP for State

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

11.02.2025

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CRL.M.A. 4135/2025 (exemption)

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

CRL.M.C. 902/2025

3. The present petition has been filed seeking following relief:

“A. Allow the present Petition and direct expeditious and time-bound disposal of the criminal proceedings against the Petitioner in the matter titled, “State v. Maheruddin” bearing SC No. 397 of 2017 u/s 354, 354D, 363, 366, 376(2)(n), 342 and 506 of Indian Penal Code, 1860 and S. 8 and 5(l) punishable under S. 6 of the Protection of Children from Sexual Offences Act, 2012 arising out of FIR No. 273 of 2017 dated 29.08.2017 registered at PS Sagarpur pending before the Ld. Additional Sessions Judge, Special Court POCSO, Patiala House Court, New Delhi”

4. The learned counsel appearing on behalf of the petitioner submits that



the FIR in the present case was registered at 29.08.2017 when the present petitioner was aged about 19 years.

5. He submits that post investigation chargesheet came to be filed and the charges were framed on 05.04.2018.

6. He further submits that the prosecution has cited as many as 21 witnesses but till date only one witness has been fully examined whereas the second witness has been partly examined. He submits that at the given pace the conclusion of trial does not appear to be anywhere in sight.

7. He invites attention of the Court to the provisions of Section 35(2) of The Protection of Children from Sexual Offences Act, 2012 (in short the POCSO Act) which mandates that the Special Court shall complete the trial, as far as possible within a period of one year from the date of taking cognizance of the offence.

8. The attention of the Court is also drawn to the decision of the Hon'ble Supreme Court in *Alakh Alok Srivastava vs. Union of India and Others (2018) 17 SCC 291*, wherein the Hon'ble Supreme Court directed the Courts across the country to ensure that the trial in cases under the POCSO Act must be fast tracked and unnecessary adjournments should not be granted and further directed that an endeavour should be made to complete the trial in a time bound manner or within specified timeframe.

9. He submits that the present petitioner, except on one occasion, had never sought an adjournment, therefore, the delay in the conclusion of trial in the present case is not at all attributable to the present petitioner.

10. In view of the above, issue notice. Learned APP for the State accepts notice.

11. Having regard to the nature of relief sought, the present petition is



being disposed of at this stage itself without calling for any reply from the respondent.

12. Considering that the trial commenced with the framing of charge on 05.04.2018 and only one witness out of the 21 cited witnesses has been fully examined and further regard being had to the provisions of Section 35 of the POCSO Act, as well as, the decision of the Hon'ble Supreme Court in *Alakh Alok Srivastava (supra)*, the learned Trial Court is directed to conclude the trial in the present case in time bound manner, preferably within a period of one year from today.

13. With the aforesaid direction, the petition stands disposed of.

VIKAS MAHAJAN, J

FEBRUARY 11, 2025
N.S. ASWAL