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

+ **CRL.M.C. 2260/2025**

YOGESH GUPTA

.....Petitioner

Through: **Mr. Karan Suneja and Ms. Manvi
Khurana, Advocates.**

versus

STATE NCT OF DELHI AND ANR.

.....Respondents

Through: **Mr. Shoaib Haider, APP for State
with SI Chitra, P.S.South Rohini.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.04.2025

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CRL.M.A. 10147/2025 (Seeking Exemption)

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

CRL.M.C. 2260/2025

1. Petition under Section 528 BNSS has been filed on behalf of the Petitioner in FIR No.202/2016 in Cr.Case No.1584/2017 under Section 498A/406/34 IPC for expeditious disposal of the case.
2. It is submitted that the FIR No.202/2016, P.S.South Rohini Delhi was registered on 22.04.2016 in which the Chargesheet was filed on 18.03.2017. Charges were framed under Section 498A/34 IPC on 13.03.2019.
3. A Criminal Revision was filed against the Order on Charge on 28.09.2019 by the Complainant which was formally dismissed on 07.02.2023. The prosecution evidence commenced on 11.02.2020.



Despite more than four years, the trial has not proceeded and not one prosecution witness has been completely examined.

4. The Petitioner has earlier approached this Court *vide* Writ Petition (Cr1) 2035/2023 wherein directions were given to the Trial Court for expeditious disposal of the matter and endeavour be made to complete the trial within this year. However, despite these directions the trial is still pending at the same stage. Complainant had appeared on 2-3 dates in the last two years, but on one pretext or the other has not concluded her evidence. Only part Examination-in-chief has been recorded till date.

5. It is submitted that despite the directions by this Court earlier in the Writ Petition, the trial has not been concluded even in past two years. Therefore, directions are sought to the Trial Court that the trial be concluded expeditiously.

6. **Submissions heard and record perused.**

7. It is indeed unfortunate that despite this Court having made an observation in its Order dated 24.02.2023, that the Trial Court to make an endeavour to conclude the trial expeditiously and preferably within one year, the trial continues to be at the same stage with the statement of the Complainant as PW-1 still not being completed.

8. The legal system and the trials cannot be permitted to be held ransom by the witnesses and it is the boundant duty of the Trial Courts to ensure that any delay tactics of either party, do not succeed. Painful as it may be, but considering that the learned Trial Court has not taken note of the earlier directions for disposal of the case expeditiously within one year, it is hereby directed that the trial in the



present matter, shall be concluded within eight months.

9. Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

APRIL 3, 2025

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