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

+ **W.P.(CRL) 1713/2025, CRL.M.A. 15981/2025**

SANDEEP KUMAR SHARMA

.....Petitioner

Through: Mr. Ashutosh Bhardwaj, Mr. Sanju Gupta, Ms. Varsha Ahluwalia, Mr. Vipin Kumar Tomar, Mr. Lalit Kumar Sharma, Mr. Lakshay & Mr. Akshay, Advs.

versus

STATE (GOVT OF NCT, DELHI) & ANR.

.....Respondents

Through: Mr. Rahul Tyagi, ASC for State with Mr. Sangeet Sibour, Mr. Priyansh Raj Singh Sengar and Mr. Aniket Kumar Singh, Advocates with SI Kailash, PS: Karol Bagh.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

22.05.2025

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1. Writ Petition under Article 226 read with Article 21 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been filed on behalf of the Petitioner for issuing directions to the learned Trial Court to conclude the trial expeditiously in FIR No.0122/2008, under Sections 170/171/384/389/392/419/452/411/34 IPC registered at PS: Karol Bagh, Delhi.

2. It is submitted that FIR No.0122/2008 was registered on 26.06.2008. Accused Mukesh Kumar was arrested on 27.06.2008, the Petitioner and other co-accused were Mukesh Sharma and Mahesh Kumar @ Beeru were arrested on 28.06.2008 and Man Singh was arrested on 04.07.2008. Chargesheet was filed on 20.03.2009 and Charges were framed on 08.01.2018.



3. It is submitted that in the 7.5 years only two witnesses, who are PW-1 Anmol Sahni (partly examined) and PW-2 Rakesh Kumar, have been examined. The directions may consequently be given for the expeditious conclusion of the trial.

4. **Learned APP for the State**, on instruction from IO, submits that on the earlier dates witnesses failed to appear and warrants had to be issued against them.

5. **Submissions heard and record perused.**

6. Considering that the Charges got framed in the year 2018, i.e. almost 09 years after the Chargesheet was filed and there are only 16 witnesses to be examined, out of which not even two witnesses have been fully examined, it indeed reflects a sorry state of affairs.

7. From the submissions made on behalf of the prosecution, apparently the witnesses are not being produced by them. Considering the totality of circumstances, it is hereby directed that the prosecution shall take effective steps to ensure the presence of witnesses. In case, they evade the process, they may seek coercive directions against such witnesses.

8. Also, the learned Trial Court may ensure that there is no frivolous adjournment granted on any date and the witnesses, who appear, may be duly examined and discharged.

9. With these observations, the Petition along with pending Applications is disposed of.

NEENA BANSAL KRISHNA, J.

MAY 22, 2025/R