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

+ CRL.M.C. 4384/2025

MANDEEP MANN

.....Petitioner

Through: Mr. Joginder Tuli and Ms. Joshini
Tuli, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP for
the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

07.07.2025

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1. Criminal Miscellaneous Petition under Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C'*) read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.'*), has been filed on behalf of the Petitioner, for fixing the timelines for conclusion of the trial of Cr. Case 2714/2017, which is pending since 2017 in an FIR No. 213/2016 under Section 506/509/34 of the Indian Penal Code, 1860, registered at Police Station Hazrat Nizamuddin, New Delhi.

2. It is submitted in the Petition that since 2018, the Complainant has been dilly dallying and has been taking adjournments on one pretext or the other, for non-appearing. The Petitioner/Accused is being harassed by this protracted trial of over nine years. Hence, a direction be issued to the learned Trial Court, to conclude the trial in a time-bound manner and also to direct



the learned trial court, to drop the Complainant, in case of her deliberate and repeatedly non-appearance in the Court.

3. Submissions heard and the record perused.

4. The angst of the Petitioner of being compelled to face the trial for nine years only on account of non-appearance of the Prosecutrix, may be justified but this Court cannot be issuing directions to the Trial Court, to pass particular Orders during the trial.

5. *Vide* Order dated 26.04.2025, the learned Trial Court has noted the previous conduct of the Complainant and noted that in case, the Complainant does not appear, she shall be dropped as a prosecution witness. The adjournment was granted on the basis of medical documents of the Prosecutrix.

6. However, considering the long protracted trial, which has extended over nine years essentially on account of non-appearance of the Complainant, the learned Trial Court is directed to complete the trial within four months and also to pass appropriate orders to ensure the presence of the Complainant.

7. With these directions, the Petition is disposed of.

8. A copy of this Order be sent to the learned Trial Court, for compliance.

NEENA BANSAL KRISHNA, J

JULY 7, 2025/RS