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

+ CRL.M.C. 4947/2025 & CRL.M.A. 21457/2025

ADESH MALIK

.....Petitioner

Through: Ms. Swati Verma, Advocate

versus

STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Hemant Mehla, APP for the State
with SI Manish Tyagi, PS Kashmere
Gate

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.07.2025

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1. The present petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 482 of the Code of Criminal Procedure, 1973) seeks expeditious trial of CC No. 3626/2022 pending before the Judicial Magistrate First Class, NI Act, Central, Tis Hazari Courts.

2. The proceedings emanate from a complaint filed by the Petitioner under Sections 138 and 142 of the Negotiable Instruments Act, 1881, alleging dishonour of a cheque issued by Respondent No. 2. It is the Petitioner's grievance that although the complaint was instituted in 2022, the matter has seen no meaningful progress and has been adjourned on at least 10 consecutive dates without any effective hearing or step being taken towards trial.



3. The Court has given thoughtful consideration to the grievance raised. While the Petitioner's frustration over repeated adjournments is understandable, the relief sought cannot be granted in the facts and circumstances of the present case.

4. It is well-settled that directions for out-of-turn disposal must be issued with restraint, for they risk disrupting the structured listing mechanism followed by Trial Courts. Given the volume of cases handled daily, Trial Courts must allocate judicial time in a fair and orderly fashion. Granting priority to a single matter, in the absence of compelling urgency or demonstrable prejudice, have the potential of unsettling the priorities and inadvertently prejudice other litigants awaiting adjudication. Mere delay cannot justify this Court's intervention to direct the Trial Court to accelerate or re-sequence its docket for selective disposal.

5. Any request for expeditious trial must rest on exceptional circumstances. In the present case, apart from the grievance of repeated adjournments, no such compelling ground has been made out. If the delay is attributable to the other side's conduct or dilatory tactics, appropriate remedies, such as seeking imposition of costs can be sought from the Trial Court itself. The Trial Court is empowered to discourage such tactics and ensure that the proceedings are brought to their logical conclusion without undue delay.

6. In view of the foregoing discussion, the present petition, along with the pending application, is dismissed. Nonetheless, the Petitioner is at liberty to approach the Trial Court with a reasoned application seeking early listing of the matter. If such an application is moved, the Trial Court shall consider it on its own merits, keeping in view the overall docket position and the



relative priority of cases on its board. The Trial Court may also examine whether the delay, if attributable to the conduct of the opposing party, warrants corrective measures such as the imposition of costs. It is clarified that this Court has not expressed any opinion on the merits of such a request.

SANJEEV NARULA, J

JULY 25, 2025/ab