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

+ **CRL.M.C. 7408/2025**

MANAV PHARIYA

.....Petitioner

Through: Mr. Akshay Bhandari, Ms. Megha Saroa, Mr. Anmol Sachdeva, Mr. Kushal Kumar and Mr. Janak Raj Ambavat, Advocates

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for the State with Ms. Apurva Vats, Advocate, Inspector Mukesh Kumar, P.S. Mohan Garden alongwith SI Rahul P.S. Cyber Outer

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **16.10.2025**

CRL.M.A. 31059/2025 (exemption)

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

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3. By way of the instant petition, the petitioner seeks direction to the learned Trial Court to conclude the evidence of the prosecutrix within a period of four weeks from the next date of hearing before the learned Trial Court i.e. 27.10.2025.
4. Issue notice. Mr. Naresh Kumar Chahar, the learned APP accepts



notice on behalf of the State.

5. The learned counsel appearing on behalf of the petitioner draws this Court's attention to an order of the learned Trial Court dated 09.04.2025, wherein it is recorded that the matter had been adjourned at the request of the learned LAC for the accused, who seeks time to file objections to the reply filed by the IO.

6. This Court notes that on 07.05.2025, the counsel for accused Manav Pahariya i.e. the present accused had made a submission before the learned Trial Court that the learned counsel is not available from end of May till June end, therefore, adjournment had been sought on 07.05.2025 by the learned counsel for the applicant himself.

7. On 01.07.2025, the examination-in-chief of the victim had been partly recorded. Further chief-examination was deferred at the request of the prosecution, since the IO was not present and his assistance was required for recording further examination-in-chief of the victim. The matter was adjourned on 15.07.2025. Though, further examination-in-chief of the victim was recorded on 15.07.2025 and the matter was adjourned at the request of Special Public Prosecutor, who again made a submission that assistance of IO is required. The victim was bound down for the said date.

8. On 23.07.2025, the learned counsel for the present applicant had requested that the matter be taken up at 2: 00 PM, however, the victim was not available due to some personal difficulty. The victim had further requested that she was not available in the month of August and therefore, the matter be now listed in the month of October.

9. On 01.08.2025, the matter was adjourned to 27.10.2025.

10. This Court takes note of the fact that the matter has been adjourned by



the learned Trial Court twice at the request of the prosecution and twice, at the request of the victim. The learned Trial Court has however, made every endeavour to conclude the testimony of the prosecutrix by giving short dates. The accused is in judicial custody for the last about two years.

11. Considering the same, it is directed that the learned Trial Court will conclude recording of testimony of the prosecutrix within six weeks from receipt of this order, under intimation to this Court.

12. It is also directed that no adjournment will be granted to the prosecution or to the accused on the dates fixed by the learned Trial Court.

13. The learned counsel for the present applicant is also directed not to seek adjournment before the learned Trial Court for the purpose of cross-examination of the victim.

14. In the above terms, the present petition stands disposed of.

15. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 16, 2025/ns