

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73420 of 2023

Arising Out of PS. Case No.-489 Year-2019 Thana- PARBATT A District- Khagaria

SUJEET KUMAR YADAV S/O SHRI VIJAY PRASAD YADAV R/O
CHAUDHANDIH PARHO, SAPAHI, P.S- DOMCHANCH, DISTT.-
KODERMA (JHARKHAND).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, THROUGH THE HOME SECRETARY, HOME
DEPARTMENT, BIHAR, PATNA. BIHAR
2. THE SUPERINTENDENT OF POLICE, KHAGARIA. BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Singh
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 30-03-2026 Heard learned counsel for the petitioner and the
State.

2. The present application has been filed for quashing
of the F.I.R. bearing Parbatta P.S. Case No. 489 of 2019
registered for the offences punishable under Sections-
379/120(B)/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that he is
owner of trucks bearing registration Nos. JH12G-5861 and
JH12G-5295.

4. Allegation is that those trucks were seized but
taking the benefit of dark at night, the driver and the owner fled
away with the trucks. Learned counsel for the petitioners states



that since 2019, the case is pending for submission of charge sheet and the investigation has yet not been concluded. Counsel for the petitioner further submits that there is no seizure list of trucks, in question and thus, the story of seizure itself is without any basis. Moreover, the Hon'ble Supreme Court on number of occasions has deprecated long duration of the investigation and quashed the cases on the basis of the same.

5. Learned counsel for the petitioner has relied several decisions in support of his case which are as follows:

In Santosh De v. Archana Guha, 1994 Supp (3) SCC 735, in which, the Hon'ble Supreme Court held that an unexplained delay of about 8 years between committal and framing of charges, attributable solely to the prosecution, amounts to a violation of the accused's right to a speedy trial. Such delay, not being systemic but due to prosecutorial default, infringes Article 21.

Likewise, in the case of Robert Lalchungnunga Chongthu v. State of Bihar, 2025 SCC OnLine SC 2511, has also been relied upon in which, relying on Sovaran Singh Prajapati v. State of U.P., the Court reiterated that investigation and trial must be conducted



with promptitude, and that the right to speedy trial is a fundamental right under Article 21. It was emphasized that unreasonable and unexplained delay may justify quashing of proceedings, though delay alone is not conclusive and must be assessed in the totality of circumstances. The Court further stressed the duty of courts to seek explanation for delay and ensure accountability.

*In **Srinivas Gopal v. Union Territory of Arunachal Pradesh**, (1998) 4 SCC 36, the Hon'ble Supreme Court held that where there is an inordinate and unjustified delay of about 9½ years in a minor offence, such delay itself violates Article 21, and technical issues like cognizance or limitation become secondary. Speedy justice being a sine qua non of Article 21, proceedings deserve to be quashed.*

*In **State of A.P. v. P.V. Pavithran**, (1990) 2 SCC 340, it was held that prolonged and lethargic investigation, causing mental stress and prejudice to the accused, especially due to inaction of the*



investigating agency, justifies judicial intervention, including quashing, to protect Article 21 rights.

*In **Vakil Prasad Singh v. State of Bihar, (2009) 3 SCC 355**, the Court reaffirmed that speedy investigation and trial are integral to fair, just and reasonable procedure under Article 21, and any procedure that permits undue delay cannot be sustained constitutionally.*

*In **Pankaj Kumar v. State of Maharashtra, (2008) 16 SCC 117**, the Hon'ble Supreme Court held that the right to speedy trial extends even to the stage of investigation, and in cases of violation, courts must assess all circumstances; if infringement is established, proceedings may be quashed or appropriate directions, including time-bound trial, may be issued.*

6. Taking into consideration of the submissions advanced on behalf of the petitioner as also the laws cited by the petitioner, this court is of the view that in this case,



interference is required.

7. Accordingly, the F.I.R. being Parbatta P.S. Case No. 489 of 2019 is hereby quashed with respect of the petitioner only and the present application is *allowed*.

(Ansul, J)

A.K.V.//-

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