SYED ROSHAN ZAMIR ALI

Digitally signed by SYED ROSHAN ZAMIR ALI
Date: 2026.11.16 12:10:54 +0530

CGHC010429232026 2026:CGHC:46343

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 2789 of 2026

1. Ramawtar Gurudwan S/o Shri Byas Narayan Gurudwan Aged About 71 Years Residence Of Satnami Mohalla, Hardibazar Korba District - Korba (C.G.) (Complainant)

... Petitioner

versus

1. State of Chhattisgarh Through Station House Officer, Police Station, Deepka District - Korba (C.G.) (Prosecution)
2. Shivcharan Prasad Rathore S/o Samaru Ram Rathore R/o Pragati Nagar Deepka Colony P. S. Deepka District - Korba (C G) (Accused)
3. Pardeshi Chouhan S/o Late Laxman Ram Chouhan R/o Awadh Nagar P. S. Kusmunda District - Korba (C G) (Accused
4. Samaru Ram Kaiwarta (Kenwat) S/o Harnarayan Kaiwarta R/o Sarwamangla Nagar Durpa Road P. S. Kusmunda District - Korba (C G) (Accused)

... Respondents

For Applicant	**:** Mr. Sandeep Sharma, Advocate
For Respondent No.1	**:** Ms. Sunita Manikpuri, Government Advocate

SB: Hon'ble Mr. Justice Parth Prateem Sahu

Order on Board

02.11.2026

1. Applicant has preferred this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') with a limited prayer of the expeditious disposal of Criminal Case No.209/2021 pending before the learned Judicial Magistrate 1st Class Katghora District Korba (CG).

2. Learned counsel for complainant/applicant submits that on the basis of complaint made by applicant, crime bearing 55/2019 was registered against the accused persons (private respondents herein). After completion of investigation, charge sheet was filed before the learned Magistrate based on which Criminal Case No.209/2021 is registered. However, despite lapse of a considerable period of time, out of 31 enlisted prosecution witnesses in the charge sheet, examination-in-chief of only one witness is held and cross-examination of said witness is yet to be conducted. There is no substantial progress in the matter, the trial is progressing at a snail's pace and in the meantime, two accused persons have also died. Therefore, a direction be issued to the concerned trial Court for speedy trial of criminal case pending against the petitioner.

3. Per contra, learned State Counsel submits that the delay in conclusion of the trial is not attributable to any inaction on the

part of the prosecution. The proceedings before the trial Court were delayed on account of the challenge to the order framing charges by one of the accused persons, quashment of order framing charges by revisional court and re-framing of charges by the trial Court. In these circumstances, the trial could not proceed in its ordinary course during the intervening period. She, however, submits that she is having no objection if the limited prayer made by the learned counsel for petitioner is allowed and a direction is issued to concerned trial Court for expeditious conclusion of the trial.

4. Heard learned counsel for the parties and perused the documents annexed along with petition.

5. From perusal of the order sheet dated 23.9.2026 annexed along with petition, it is evident that the examination in chief of Prosecution Witness No.1 Ramawatar Gurudwan, who is the complainant/victim in the aforementioned offence, was done on 23.09.2026 but his cross-examination has not been conducted.

6. Looking to the facts and circumstances of case, submission of learned counsel for the parties and the fact that criminal case registered on the complaint of petitioner is pending since 2021, the instant petition is disposed of with a direction to the learned trial court / JMFC, Katghora, to expedite the trial and

make every endeavor to conclude Criminal Case No.209/2021 expeditiously in accordance with law.

7. With the above direction, the petition stands disposed of.

8. Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
Judge

roshan/-