SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			C528/2418/2026 Atul Chhabra --Applicant **Versus** Karun Gupta --Respondent **Hon'ble Alok Mahra, J.** Mr. Saurabh Pande and Mr. Natik Bhatt, Advocates for the applicant. Mr. Pradeep Lohani, A.G.A. for the State of Uttarakhand. 2. By way of the instant Criminal Miscellaneous Application, applicant seeks a direction to learned Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar, to expedite the proceedings of Criminal Case No. 1177 of 2026 and to conclude the same within a time-bound period, as may be stipulated by this Court. 3. Learned counsel for the applicant submits that the accused persons are deliberately adopting dilatory tactics with the intention of delaying the proceedings. It is submitted that summons were issued to the accused persons, and their *Vakalatnama* was duly filed before the learned Court below on 21.08.2026. Despite the fact that the accused persons had already entered appearance through their counsel, they did not appear before the Court. However, without taking due note of the *Vakalatnama* available on record, learned Chief Judicial Magistrate, vide order dated 22.08.2026, again

			recorded the absence of the accused persons and directed issuance of fresh summons. Subsequently, on 23.09.2026, despite the aforesaid position, learned Magistrate once again issued summons on account of their non-appearance. It is further submitted that the applicant has placed on record photocopies of the relevant folio, which indicate that the accused persons had obtained certified copies of the F.I.R., charge-sheet and summoning order on 27.07.2026. Thus, the aforesaid material, coupled with the filing of the *Vakalatnama* on behalf of the accused persons, prima facie indicates that they were well aware of the proceedings pending against them and were deliberately avoiding their appearance before learned Court below. 4. Having considered the submissions advanced by learned counsel for the applicant and upon perusal of the material placed on record, this Court finds that once the *Vakalatnama* on behalf of the accused persons had been filed and the relevant documents had also been obtained by them, instead of repeatedly issuing summons, learned Magistrate ought to have considered taking appropriate steps in accordance with law to secure the presence of the accused persons and ensure that the proceedings are not unnecessarily delayed. 5. Needless to observe that the criminal proceedings are required to be conducted in a fair and expeditious manner, and no party should be permitted to frustrate or delay the course of justice by adopting dilatory tactics. Learned Magistrate is expected to ensure that the proceedings are conducted in accordance with law and that appropriate steps are taken to secure the presence of the accused persons,

wherever necessary.

6. In view of the foregoing discussion, the instant Criminal Miscellaneous Application stands disposed of with a direction to learned Chief Judicial Magistrate, Rudrapur, District Udham Singh Nagar, to proceed with Criminal Case No. 1177 of 2026 strictly in accordance with law and make every endeavour to conclude the proceedings expeditiously, without granting unnecessary adjournments to either of the parties.

(Alok Mahra, J.)
05.11.2026

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