

IA No. 5/24 in SC No. 44792/15
State Vs. Rajesh Kalia & Ors.
FIR No. 70/2005
PS New Usmanpur

25.10.2024

Present: Sh. Kamal Akhter, Ld. APP for the State.
Sh. Ashok Kumar Tiwari, Ld. LAC for accused Bablu
Khatri.

This is an application u/s 346 of BNSS, 2023 seeking expediting the trial.

Perusal of the record reflects that the present chargesheet was committed before this Court on 10.07.2015 and the charges against the accused persons were framed by the Ld. Predecessor of this court on 23.07.2015 against accused Ranvir Singh, Rajesh Kalia, the present applicant Manish and Mohd. Guddu. The charges against accused Raja were framed on 15.05.2017, since he was earlier absconding in the present case.

The perusal of the record reflects that on multiple occasions the accused persons including the present applicant/accused had failed to appear before this Court and warrants and process u/s 82 Cr.PC had to be issued against them. The delay in the trial is attributable to the conduct of the accused persons including the present applicant/accused.

This Court was specially created by the Hon'ble High Court of Delhi in the Month of December 2023, wherein, all the old matters pending in North East District were transferred to this Court, for expeditious disposal and since all the matters pending before this Court are old matters, no preference can be given to one particular matter.

Perusal of the record reflects that the prosecution evidence has already been recorded and the matter is listed for recording the statement of the accused persons on 03.12.2024.

No ground is made out as to seek early hearing, since the delay in the trial is attributable to all the accused persons including the present applicant/accused. The present application is devoid of any merit and the same is hereby dismissed.

Let, the copy of this order be given Dasti as prayed for and copy shall also be sent to concerned Jail Superintendent to be supplied to the applicant/accused.

(ATUL AHLAWAT)
ASJ (FTC)/North-
East/KKD Courts/
Delhi/25.10.2024