



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3521]

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3546/2026

Between:

MEDAPATI SUDHAKAR REDDY, , S/O. LATE SRINIVASA REDDY,
MALE, AGED 42 YEARS, OCC REAL ESTATE BUSINESS I/N R/O.
VAIBHAV TOWERS, WESTERN STREET OPP MOTHIVARI SHOPPING
COMPLEX, ELURU. ELURU DISTRICT

...PETITIONER/COMPLAINANT

AND

1. SAMBANGI DURGA PRASAD, , S/O. NARASIMHA RAO, MALE,
AGED 43 YEARS, OCC BUSINESS, R/O.D.NO.20C/13/4, DASARI
BALARAMASWAMI STREET, GANDHINAGAR, ELURU, ELURU
DISTRICT 534 001.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC
PROSECUTOR THROUGH S.H.O. ELURU I TOWN P.S. ELURU,
ELURU DISTRICT, HIGH COURT BUILDINGS NELAPADU,
AMARAVATHI. GUNTUR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner/complainant:

B P RAJU

Counsel for the Respondent(S):

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.)/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), seeking a direction to the learned Principal Civil Judge (Junior Division), Eluru, West Godavari District, to dispose of the case in S.T.C.No.285 of 2024, as early as possible.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

3. As seen from the record, the petitioner seeks expeditious disposal of the S.T.C.No.285 of 2024 on the file of the learned Principal Civil Judge (Junior Division), Eluru, West Godavari District. In this regard, it is apposite to mention the judgment of the Hon'ble Apex Court in **Abdul Rehman Antulay v. R.S. Nayak**¹, wherein at paragraph No.86 (10) held as under:

"(10) It is neither advisable nor practicable to fix any time-limit for trial of offences. Any such rule is bound to be qualified one. Such rule cannot also be evolved merely to shift the burden of proving justification on to the shoulders of the prosecution. In every case of complaint of denial of right to speedy trial, it is primarily for the prosecution to justify and explain the delay. At the same time, it is the duty of the court to weigh all the circumstances of a given case before pronouncing upon the complaint. The Supreme Court of USA too has repeatedly refused to fix any such outer time-limit in spite of the Sixth

¹(1992) 1 SCC 225

Amendment. Nor do we think that not fixing any such outer limit in effectuates the guarantee of right to speedy trial.”

4. The Hon’ble Apex Court in **High Court Bar Association, Allahabad v. State of U.P**², at paragraph No.32 held as under:

“32. Therefore, constitutional Courts should not normally fix a time-bound schedule for disposal of cases pending in any Court. The pattern of pendency of various categories of cases pending in every Court, including High Courts, is different. The situation at the grassroots level is better known to the judges of the concerned Courts. Therefore, the issue of giving out-of- turn priority to certain cases should be best left to the concerned Courts. The orders fixing the outer limit for the disposal of cases should be passed only in exceptional circumstances to meet extraordinary situations.”

5. It is observed that the practice of giving directions to the learned Trial Courts fixing the schedule for disposal of the cases were deprecated by the Hon’ble Apex Court in **Abdul Rehman Antulay and High Court Bar Association, Allahabad** *supra*. However, the right to speedy disposal is one of the facets of the fundamental right guaranteed under Article 21 of the Constitution of India.

6. Considering the entire facts and circumstances of the case, the learned Principal Civil Judge (Junior Division), Eluru, West Godavari District, is directed to expedite the hearing in S.T.C.No.285 of 2024 and dispose of the same, and submit a report to that effect to the Registrar (Judicial) as early as possible.

7. In the result, the Criminal Petition is disposed of.

²AIR Online 2024 SC 143

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 04.05.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3546 of 2026

Date: 04.05.2026
RSI