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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 623/2018 & CRL.M.A. 28537/2018(for stay)

CHANDRA SHEKHAR SHARMA Petitioner

Through: Ms. Shikha Kaushik, Advocate.

versus

STATE (N.C.T OF DELHI) Respondent

Through: Mr. Satish Kumar, APP for State with
Insp. Deep Chand P.S. Vasant Kunj
South.

Ms. Lalit Kumar, Mr. Satendra Singh
& Mr. Chirag, Advocates for Victim.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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04.08.2022

1. It is stated that the main counsel for the petitioner in this case has not been able to appear. Adjournment sought.
2. It has been pointed out that on the strength of order dated 26.07.2018 of my learned Predecessor adjournment and stay of proceedings has been sought by the petitioner before the learned trial court. Though, it was mentioned in the said order as under:

“...Issue notice.

Mr. Amit Chadha, the learned counsel appearing for the State accepts notice and states that de hors the death of any person the case can nevertheless proceed under section 302 read with section 124-B of the IPC.

Response, if any, before the next date of hearing.



In view of the above, learned counsel appearing for the respondent submits that on the next date of hearing before the Trial Court they shall seek an adjournment.

TCR be requisitioned, digitized and made available before the next date. Two days after digitization the TCR shall be returned back to the Trial Court.

List for arguments on 6th September, 2018.

Dasti under the signatures of the Court Master ... ”

3. Thereafter on 14.02.2019, it was mentioned in the order that the trial court shall fix the date after the date fixed in this petition.

4. It seems that inadvertently thereafter though there was no stay before the learned trial court, it was mentioned in the order sheet that ‘interim order to continue’. It is clear from the record that no order of stay of proceedings before the trial court was ever passed by any of the predecessors.

5. Since learned counsel for the petitioner is not available today and the petition pertains to the year 2018, it is clarified that there was no stay of proceedings before the trial court, who will continue with the trial of the case as per law.

6. The application for stay is not pressed which is pending since the year 2018.

7. Adjournment not opposed by the respondents

8. Re-notify on 28.10.2022.

SWARANA KANTA SHARMA, J

AUGUST 4, 2022/hk