

Court No. - 50

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 24195 of 2025

Applicant :- Shamshad

Opposite Party :- State of U.P.

Counsel for Applicant :- Sundeep Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Ajay Bhanot, J.

Matter is taken up in the revised call.

This is the fourth bail application. The applicant is in jail since 23.07.2020.

Sri Sundeep Shukla, learned counsel for the applicant submits that four prosecution witnesses have been examined till date. It is also contended that the directions issued by this Court on 26.09.2023 in Criminal Misc. Bail Application No. 5886 of 2023 have not been complied with by the learned trial court. The trial is moving at a snail's pace and shows no sign of early conclusion. The applicant is not responsible for the delay in the trial proceedings. The prosecution is deliberately delaying the conduct of the trial to prolong the incarceration of the applicant. Inordinate delay in concluding trial will to an indefinite detention of the applicant. The right of the applicant to speedy trial has been violated. Various directions were also made upon the learned trial court to expedite the trial and to implement the mandate of Section 309 Cr.P.C./346 BNSS.

Prima facie, it appear that the directions of this Court have

not been complied with and this is a rather distressing state of affairs. Disobedience of orders of this Court by the learned trial court strikes directly at the root of the rule of law.

Learned District Judge shall examine the matter and send a report regarding prima facie disobedience of the aforesaid directions of this Court by the learned trial court and the cause for the delay in concluding the trial.

In the meantime learned trial judge shall send a fresh report regarding the status of the trial and cause for the delay in concluding the trial in Case Crime No. 454 of 2020 under Sections 302, 201, 34 IPC, Police Station Partapur, District- Meerut and also the following details in tabulated form:-

- (1) Dates on which chargesheet was filed and the charge was framed.
- (2) Number of prosecution witnesses in the chargesheet.
- (3) Number and particulars (i.e. name, nature of witness like eye witness and expert witness etc.) of prosecution witnesses proposed to be examined as per the charge sheet.
- (4) List of proposed prosecution witnesses/calendar submitted before the trial court for examination during the

trial.

(5) Names and number of prosecution witnesses who have been examined before the trial court with dates.

(6) Names and number of witnesses who have been summoned but have not attended the trial proceedings on the appointed dates with dates.

(7) Names and number of witnesses against whom coercive measures have been taken out with dates.

Put up on 20.08.2025 in the list of fresh cases.

Needless to add, none of the above observations shall be construed adversely against any judicial officer unless the District Judge comes to another conclusion.

A copy of this order be communicated to the learned trial judge through the learned District Judge, Meerut by the Registrar (Compliance) by e-mail.

Order Date :- 16.7.2025
Pravin