

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRLMP No. 2336/2002 in
Petition(s) for Special Leave to Appeal (Crl.) No. 1901/1999

HARIDWAR PANDEY Petitioner (s)

VERSUS

STATE OF BIHAR Respondent (s)

(For appln. against the Order of the Learned Registrar(J-II) under
ordderr XVIII, Rule 5 S.C.R. and office report)

Date : 19/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s)

Petitioner-In-Person

For Respondent (s)

Mr. B.B. Singh,Adv.
Mr.Kumar Rajesh Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

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This petitioner has appeared in person to pursue an application challenging the order of the Registrar, refusing to register the petition. The petition that was filed before the Registrar was for modification of order of the Court dated 7.9.2001. The Court has shown enough sympathy to the petitioner not only by entertaining several applications, but also by engaging counsel / Amicus to assist the petitioner with the object that whether any relief can be granted to him. But, notwithstanding the same, the petitioner has been filing applications after applications. On 7.9.2001, on ..2

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considerations of all the applications pending, the Court refused to entertain the same and an application for review was filed, which was also disposed of by circulation. Thereafter, when the present application was filed the Registrar considered the circumstances and refused to entertain the same. On examining the entire materials and after hearing the petitioner at length, we see no justification for entertaining the present application. It is dismissed accordingly.

Be it stated that the criminal prosecution pending before the Special Judge, Patna is lingering for a long time and this Court has been directing from time to time for early disposal of the matter. We do not know whether it is the petitioner who is responsible for protracting the litigation or the State, though both the petitioner as well as the State refute the same. It is not necessary for us to examine the correctness of the rival stand on this score. Suffice it to say that the pending criminal proceeding must be concluded as expeditiously as possible. We are constrained to observe that the petitioner has been making several frivolous applications. No doubt, when the liberty of a person is concerned, the Court sympathetically examines the grievance of the under-trial, but that does not mean that any citizen would misuse the liberty that is granted when somebody appears in person. To us, it appears that in the case in hand the petitioner has been abusing the advantage that is granted to him merely because he appears in person. We direct the Special Judge, Patna to conclude the pending proceedings as expeditiously as possible and submit a report to this Court.

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(J.S. Rawat)
Court Master

(Suneet Bala Sharma)
Court Master