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SLP(Crl.)No. 2405 OF 2000  
ITEM No.26

Court No. 6

SECTION II  
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 2405/2000

(From the judgement and order dated 11/05/2000 in CRLTA 305/97  
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P.

Petitioner (s)

VERSUS

VIJAY SINGH

Respondent (s)

( With Appln(s). for exemption from filing O.T. and stay )

With

SLP (Crl.)...CRL.M.P. No.5083/2000

(For permission to file SLP and ex-parte stay)

Date : 05/08/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s) Mr. Ashok Kumar Panda, Sr. Adv.  
Mr. Hariom Yaduvanshi, Adv.  
Mrs. Monika Gusain, Adv.  
for Mr. Ranbir Singh Yadav, Adv.

For CBI Mr. Altaf Ahmed, ASG  
Mr. Rajeev Sharma, Adv.  
Mr. P. Parmeswaran, Adv.

For Respondent (s) Mr. Vishwajit Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

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CRL.M.P. NO.5083/2000 allowed.

The learned counsel for the parties agree on one point  
that at present the trial is proceeding in CBI court,  
Lucknow. However, the learned counsel for the accused

submits that the investigating agency is taking repeated adjournments. This aspect is controverted by the learned counsel for the CBI.

Considering the fact that this Court has directed the trial court to expedite the proceedings and dispose it of by strictly following Section 309 Cr.P.C., the trial court is further directed to dispose of the case as early as possible by avoiding granting adjournments at the request of the learned counsel for the parties.

In this view of the matter the impugned order passed by the High Court transferring the criminal case No.R.C.-3(5)/97 CBI/SICIV from Lucknow to Dehradun is set aside. The special leave petitions stand disposed of accordingly.

However, it is made clear that the trial court would proceed with the matter by following Section 309 Cr.P.C. and decide the same as early as possible.

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(A.S. Bisht)  
Court Master

(Janki Bhatia)  
Court Master