

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL No.1221 OF 2013

BALAJI & ORS.

... APPELLANTS

Versus

GANGADHAR & ANR.

... RESPONDENTS

O R D E R

The Court is convened through Video Conferencing.

The instant appeal, by way of special leave, is directed against order dated 22.06.2011 passed by the High Court of Judicature of Bombay whereby the High Court allowed Criminal Revision Application No.242 of 2008 and reversed the judgment of acquittal of the appellants passed by the Sessions Court.

On 06.10.2021 and 07.10.2021, this Court adjourned the matter at the request of learned counsel for the appellants to enable him to take instructions from his clients. However, learned counsel is not able to get any instructions.

Having heard learned counsel appearing on behalf of the appellants as also the learned counsel appearing on behalf of the respondents at length and carefully perusing the material placed on record, we see no reason to interfere with the impugned order passed by the High Court. We are consciously not making any observation on the rival contentions of the parties as it may unwittingly prejudice either of the parties before the trial court.

Vide order dated 22.06.2011 while remitting the matter to

the trial court, the High Court gave direction to the trial court to dispose of the matter within four months. Unfortunately, after a lapse of over 10 years, the matter is still pending before the trial court.

In view of the above, we request the trial court to comply the order of the High Court and conclude the trial within a period of three months from the date of communication of this order.

Keeping in view the long pendency of the matter and to protect the interest of the appellants, we grant four weeks' interim protection from arrest to them. After the expiry of period of four weeks, the appellants would be at liberty to approach the trial court for appropriate relief.

The appeal stands disposed of accordingly.

The Registry is directed to remit the records of the High Court as well as the trial court forthwith.

.....CJI.
(N.V.RAMANA)

.....J.
(SURYA KANT)

.....J.
(HIMA KOHLI)

NEW DELHI;
OCTOBER 08, 2021.

