

ITEM NO.7

COURT NO.3

SECTION II-C

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(s).1422/2025

[Arising out of impugned final judgment and order dated 13-11-2024 in BA No. 4110/2024 passed by the High Court of Delhi at New Delhi]

MAHESH KHATRI @ BHOLI

Petitioner(s)

VERSUS

STATE NCT OF DELHI

Respondent(s)

(IA No.25948/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 03-02-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Ishan Kapoor, Adv.
Ms. Joshini Tuli, Adv.
Mr. Joginder Tuli, Adv.
Mr. Shrikant Sharma, Adv.
Mrs. Gargi Khanna, AOR

For Respondent(s) :

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

1. The custody certificate dated 16.11.2024, certified by the Office of the Superintendent, Tihar Jail, New Delhi vividly demonstrates that the petitioner in the present case is a hardened criminal, who has more than a dozen criminal antecedents, right from 2013 onwards. The allegations in these FIRs registered against the petitioner pertain to a variety of heinous offences. At this juncture, it is relevant to note that the certificate further

reveals that he has been granted bail in most, if not all, of the cases.

2. It is imminently obvious to us that the instant petitioner has repeatedly misused the concession of bail in utter disregard and brazen defiance of the conditions that necessarily flow out of such a release order.

3. That being so, what appears to be even more concerning is that according to learned counsel for the petitioner, the trial even with reference to the FIR No.314/2013 under Sections 356, 379, 411 and 34 of the Indian Penal Code, 1860 at Police Station Prashant Vihar, namely, the oldest case as per the record, is still pending.

4. It goes without saying that endless protracted trials do violate the incarcerated person's right to a speedy trial, even if he is found not entitled to the relief of bail. Unnecessary delays in criminal trials, such as the unexplained delay of 12 years in the aforementioned FIR of 2013, strike at the very heart of the constitutional values that flow out of Article 21 of the Constitution of India.

5. The prosecution, thus, must show-cause as to what has prevented it from concluding the trial in at least 15 matters referred to the pending against the petitioner, as per the custody certificate.

6. Accordingly, while we are not inclined to release the petitioner on bail, let notice be issued for the aforesaid limited purpose, returnable on 19.03.2025.

7. We also direct the Respondent-State to file a status report before the next date of hearing, with respect to the trials pending

against the petitioner, as per the custody certificate.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR