

(2021) 01 SHI CK 0053

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (M) No.1855 Of 2020

Sahil Urao

APPELLANT

Vs

State Of Himachal Pradesh

RESPONDENT

Date of Decision : 04-01-2021

Acts Referred:

Citation : (2021) 01 SHI CK 0053

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Yashveer Singh Rathore, Ajit Sharma, Sudhir Bhatnagar

Final Decision : Dismissed

Judgement

Sandeep Sharma, J

Through Video Conferencing

1. Having perused the status report filed on behalf of respondent-State, learned counsel representing the petitioner, on instructions, seeks permission to

withdraw the present petition, at this stage, with liberty to file afresh, at appropriate stage.

2. However, Mr. Yashveer Singh Rathore, learned counsel representing the petitioner states that since petitioner is behind the bars for the last two

and half years and till date not even a single witness has been examined, necessary direction may be issued to learned court below to expedite the trial.

3. Consequently, in view of the aforesaid statement made by Mr. Yashveer Singh Rathore, learned counsel representing the petitioner, the present

petition is dismissed, as withdrawn with liberty, as prayed for. However, having taken note of the fact that petitioner is behind the bars for the last two

and half years and till date not even single prosecution witness has been examined, this Court hopes and trusts that learned court below would make

all out efforts to conclude the trial expeditiously, preferably, within a period of six months. Learned Court below is also directed to record the

statement of victim/prosecutrix at an early date, so that freedom of bail petitioner is not curtailed for an indefinite period, on the ground that in the

event of his being enlarged on bail, he may cause harm or dissuade victim/prosecutrix to depose against him.

4. Needless to say, this Court on judicial as well as administrative sides, has been repeatedly advising the courts below to conclude the trial of under

trials on top most priority so that their freedom is not curtailed for an indefinite period. Registry of this Court to apprise learned court below with

regard to passing of instant order, enabling it to do the needful within the stipulated time.