

C-482 Petition No.1545 of 2014

Hon'ble U.C.Dhyani, J.

Mr. Aditya Singh, Advocate, present for the applicant.

Mr. S.S.Adhikari, Brief Holder, present for the State.

By means of present application under Section 482 Cr.P.C., the applicant seeks to expedite the trial against the petitioner pending before the Special Sessions Judge, Dehradun, being SST No. 38 of 2011, captioned as State vs. Yogender Prasad, under Section 120-B,/409/420 of IPC and Section 13 (1) (c), Section 13(1)(d) and Section 13 (2) of the Prevention of Corruption Act, 1988, in connection with the FIR No. 13 of 2010, P.S. Vigilance Sector, District Dehradun, lodged against the petitioner on the basis of complaint made by the S.P., Vigilance Sector, Dehradun.

Special Leave to Appeal (Crl) No. 4648 of 2011 was moved on behalf of the State against the present applicant. Hon'ble Apex Court was pleased to pass the following order in the same:

“We do not see any reason to interfere with the impugned orders in these SLPs granting bail to the respondents. The Special Leave Petitions are dismissed.

However, in the facts and circumstances of these cases, we request the learned trial court to proceed with the trial and conclude the same expeditiously and it is further clarified that any observations made in the impugned orders shall not adversely affect either of the party.”

It is the submission of the learned counsel for the applicant that the trial court is not proceeding in the direction, in which it was expected to proceed.

Since the Hon'ble Supreme Court has already requested the learned trial court to proceed with the trial and conclude the same expeditiously, therefore, no further order is required to be passed by this Court, in as much as, the order of Hon'ble Apex Court is binding on all the Courts throughout the territory of India.

This Court, therefore, reiterates the same, making the same request to the learned trial court.

C-482 Petition thus stands disposed of summarily at the admission stage itself.

(U.C.Dhyani, J.)

28.11.2014

Kaushal