

HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal Misc. Application No. 387 of 2022

Meenu Bharti Petitioner

Vs.

State of Uttarakhand and others Respondents

Present : Mr. Vishwa Prakash Bahuguna, Advocate for the petitioner.
Mr. Lalit Miglani, A.G.A. with Mr. Sachin Panwar, Brief Holder for the
State/respondent no.1.

JUDGMENT

Hon'ble Ravindra Maithani, J. (Oral)

By means of the instant petition, the petitioner seeks directions so that the Criminal Case No.4190 of 2015, State of Uttarakhand vs. Sunil Kumar and others, under Section 406 IPC, pending in the court of Additional Chief Judicial Magistrate/6th Additional Civil Judge (Sr. Div.), Dehradun (for short, "the case") be decided as expeditiously as possible within the stipulated time.

2. Heard learned counsel for the parties and perused the record.

3. It is argued that the charge-sheet in the matter was submitted in the year 2015 but, since then, the case could not be disposed of.

4. This Court should restrain itself from issuing directions for expeditious disposal in cases coming up before this Court. There should be strong and positive reasons for such directions. There is no data before this Court, as to how many cases are pending before the particular court, where this instant case is pending. The issue regarding pendency of the cases has been deliberated on various occasions at various forums. There have been judicial directions and deliberation of Arrears Committee at different levels on the subject. Judiciary, on its own, had initiated five plus zero policy, so as to reduce the life of cases below 5 years. Instant case is more than 5 years old case but, then it is again within the domain of the court concerned. A court has to manage and plan for its court as per Court and Case Management.

5. The Court expects that the court concerned shall keep in mind the utility of Court and Case Management and plan to reduce the life of cases, as

much as possible, in accordance with the priority of cases.

6. With the above observation, the petition stands disposed of.

(Ravindra Maithani, J.)
31.03.2022

Sanjay