$~98

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% ***Date of Decision:19th November, 2026***

\# **CNR No. DLHC010549702026**

\+ CRL.M.C. 8512/2026 & CRL.M.A. 35682/2026

MADHU GARG .....Petitioner

Through: Mr. Mahavir Sharma, Ms. Anushka Gupta and Mr. Deepanshu Mudgal, Advs.

versus

STATE OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Sunil Kumar Gautam, APP
SI Yogesh Kumar, NR-II/Crime Branch

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. *(ORAL):*

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), seeking directions for expeditious disposal of the criminal case arising out of the First Information Report ("FIR") being *FIR No. 369/2007* dated 06th March, 2007, registered under Sections 468/471/420/120B of the Indian Penal Code, 1860 ("IPC"), at Police Station ("PS") Sultan Puri, North West, Delhi, pending adjudication before the Chief Metropolitan Magistrate ("CMM"), Rohini Courts, North Delhi.

2. Learned counsel for the petitioner submits that the FIR in the present case was registered way back in the year 2007 and the criminal proceedings have continued for almost two decades, causing grave hardship, mental

Signature Not Verified
Digitally Signed
By:HARIOM SHARMA
Signing Date:22.11.2026
10:19:59

agony, financial burden and continuing prejudice to the petitioner.

3. He submits that a total 34 witnesses have been cited in the Chargesheet, out of which only 14 witnesses have been examined till date.

4. It is submitted that *vide* order dated 06th November, 2012, charges were framed against respondent no. 2/accused and the other accused persons were discharged.

5. It is further submitted that the prosecution evidence commenced on 03rd May, 2013, and that the testimony of the complainant began on 20th February, 2015, and concluded on 16th September, 2026, after more than eleven years.

6. Learned counsel for the petitioner submits that there was no delay on the part of the complainant. However, respondent no. 2/accused kept seeking adjournments before the Trial Court, and thus, the matter has been prolonged for one reason or another.

7. In response, learned Additional Public Prosecutor ("APP") for the State submits that since 20 witnesses out of 34 witnesses are yet to be examined, the trial will take some time.

8. He further submits that directions can be issued to the Trial Court to ensure that the trial is expedited.

9. Having considered the submissions made before this Court, it is to be noted that the right to a speedy trial is an integral part of the fundamental right to life and personal liberty guaranteed under Article 21 of the Constitution of India, 1950. The right extends to every stage of the criminal process, including investigation, inquiry and trial. It is also reflected in Section 309(1) of the Code of Criminal Procedure, 1973 ("CrPC"), corresponding to Section 346 of the BNSS, which requires that proceedings be held as expeditiously as possible.

Signature Not Verified
Digitally Signed
By:HARIOM SHARMA
Signing Date:22.11.2026
10:19:59

10. The Supreme Court in the case of ***Ranjan Dwivedi Versus Central Bureau of Investigation, (2012) 8 SCC 495***, observed as follows:

> *"xxx xxx xxx*
> ***19. Our Constitution does not expressly declare the right to speedy trial as a fundamental right. The right to a speedy trial was first recognised in Hussainara Khatoon (1) case [(1980) 1 SCC 81 : 1980 SCC (Cri) 23] , wherein, the Court held that a speedy trial is implicit in the broad sweep and content of Article 21 of the Constitution. Subsequently, in a series of judgments, this Court has held that a "reasonably" expeditious trial is an integral and essential part of the fundamental right to life and liberty enshrined in Article 21 of the Constitution of India.***
> *xxx xxx xxx"*
>
> *(Emphasis Supplied)*

11. Further, the Supreme Court in the case of ***Hussain and Another Versus Union of India, (2017) 5 SCC 702***, also observed that timely delivery of justice is a part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.

12. In the present case, this Court notes that the criminal proceedings have been pending since the year 2007. The prosecution evidence commenced on 3rd May 2013, however, even today, 20 witnesses out of 34 witnesses are yet to be examined.

13. At this stage, learned counsel for the petitioner has also informed this Court that the petitioner is a woman and a senior citizen, aged about 63 years, who has extensively suffered on account of the prolonged pendency of the criminal proceedings.

14. Accordingly, in the facts and circumstances of the present case, it is evident that there has been inordinate delay in the trial proceedings.

15. Therefore, in view of the observations hereinabove, the Trial Court is directed to expedite the trial proceedings pending in respect of *FIR No.*

Signature Not Verified
Digitally Signed
By:HARIOM SHARMA
Signing Date:22.11.2026
10:19:59

369/2007 dated 06th March, 2007, registered at PS Sultan Puri, North West, Delhi, and to complete it, preferably within a period of one year.

16. With the aforesaid directions, the present petition stands disposed of.

17. The pending application also stands disposed of.

MINI PUSHKARNA, J

NOVEMBER 19, 2026/KR

Signature Not Verified
Digitally Signed
By:HARIOM SHARMA
Signing Date:22.11.2026
10:19:59