

ITEM NO.23

COURT NO.11

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 1433/2022 in Cr1.A. No. 1794/2019

P. GOPALKRISHNAN @ DILEEP

Petitioner(s)

VERSUS

STATE OF KERALA
(FOR ADMISSION)

Respondent(s)

WITH

MA 1434/2022 in MA 62/2022 in Cr1.A. No. 1794/2019 (II-B)
(IA No. 105395/2022 - CLARIFICATION/DIRECTION)

Date : 05-09-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) By Courts Motion, AOR

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Philip T. Varghese, Adv.
Mr. Sujesh Menon, Adv.
Mr. P. Vamshi Rao, Adv.
Ms. Vishwaja Rao, Adv.
Ms. Pragya Baghel, Adv.
Ms. Ranjeeta Rohatgi, AOR

For Respondent(s) Mr. Ranjit Kumar, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Ms. Anu K. Joy, Adv.
Mr. Alim Anvar, Adv.

Mr. G. Prakash, AOR

Mr. Basant R., Sr. Adv.
Mr. K. Rajeev, AOR
N.R. Menon, Adv.

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

We have taken note of the contents of M.A. No. 1433 of

2022 that has been registered on a report-cum-request sent by the learned Trial Judge conducting the trial and also M.A. No. 1434 of 2022 that has been registered on the directions sought for by the petitioner.

In M.A. No. 1434 of 2022, the petitioner has made a detailed reference to the proceedings hitherto in the trial as also the process of further investigation and has submitted that the matter is being protracted at the instance of the prosecutrix so as to evade final verdict in the case and the Trial Court has also not proceeded expeditiously; and on the other hand, he is being subjected to media trial.

In M.A. No. 1433 of 2022, the learned Trial Judge has referred to various proceedings and applications moved in the case, so as to explain the circumstances for which the trial could not be completed within the time granted by the Court. The said report-cum-request was sent on 19.07.2022 seeking six months' more time from 16.02.2022 to dispose of SC No. 118 of 2018 pending in that Court. Even the extended time, as sought for by the learned Trial Judge has expired.

Today, during the course of submissions, it has also been indicated that a transfer petition moved by the prosecutrix is being heard by the High Court of Kerala and matter is posted for further hearing tomorrow i.e., 06.09.2022.

Though, as at present we are not making any comments on the variety of grievances voiced by the petitioner but, taking the totality of circumstances into account and the orders already passed in this matter, we would expect that the trial

of the matter is assigned a specific priority and, for that purpose, if necessary, the trial may proceed on day-to-day basis. We would request the High Court also to take note of the orders already passed in this matter by this Court expecting expeditious proceedings. In the given circumstances, we extend the time for completion of the proceedings while expecting that the trial shall be concluded at the earliest, preferably before 31.01.2023.

Having said so, and without any other comment, we keep both these miscellaneous applications pending while awaiting report on the progress from the Trial Court. The Trial Court, in the first place, may send its report of progress after four weeks from today.

List these matters on 11.10.2022.

It would be expected of all the concerned to extend co-operation to the Trial Court in expeditious proceedings.

(NEETA SAPRA)
COURT MASTER (SH)

(RANJANA SHAILEY)
COURT MASTER (NSH)