

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSItem No.16:

Petition(s) for Special Leave to Appeal (CrI.) No(s). 11589/2024

(Arising out of impugned final judgment and order dated 26-06-2024 in CRM(DB) No. 1851/2024 passed by the High Court at Calcutta)

RUP BAHADUR MAGAR @ SANKI@ RABIN

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL

Respondent(s)

(IA No.189544/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

With

Item No.67:

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 33237/2024 (FOR ADMISSION and I.R. and IA No.194178/2024-CONDONATION OF DELAY IN FILING and IA No.194177/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.194176/2024-PERMISSION TO PLACE ON RECORD SUBSEQUENT FACTS and IA No.194173/2024-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 02-09-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Rajeev Lochan, Adv.

Mr. Rohit Joshi, Adv.

Mr. Gaurav Sharma, Adv.

Mr. Manish Verma, Adv.

Ms. Nitiprya Kar, Adv.

Mr. Rajesh Kumar Sharma, Adv.

Mr. Ravi Kumar Tomar, AOR

Mr. Ravi Chandra Prakash, Adv.

Mr. Purushottam Sharma Tripathi, Adv.

For M/s Ravi Chandra Prakash & Co., AOR

For Respondent(s)

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

Applications for exemption from filing a certified copy of the impugned judgment are allowed.

Delay condoned.

In the case of *High Court Bar Association, Allahabad v. State of U.P. & Ors.*¹, a Constitution Bench of this Court has taken a view that as a matter of rule, the Constitutional Courts should not fix a time-bound schedule for conduct of cases before the Trial and other Courts and the said approach can be adopted only in very exceptional cases. Notwithstanding the pronouncement of law by the Constitution Bench of this Court, we have noticed that several High Courts while rejecting the bail applications, are fixing time-bound schedule for the conduct of trials. It cannot be that the bail is denied on the ground that the trial will be disposed of in a time-bound schedule.

Issue notice returnable on 4th October, 2024.

Liberty is granted to serve the standing counsel for the respondent-State, in addition.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER

1. (2024) 6 SCC 267