



2024: DHC: 2700-DB



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

+ W.P.(CRL) 1542/2020 & CM APPLs. 19839-19840/2021

IN RE: DESIGNATED COURTS FOR MPS/MLAS ..... Petitioner

Through:

versus

UNION OF INDIA & ORS.

..... Respondents

Through:

Mr. Sandeep Sethi, Senior Advocate as Amicus Curiae with Ms Shreya Sethi, Mr. Sumer Dev Seth and Ms. Riya Kumar, Advocates.

Mr. Rajat Aneja, Advocate with Mr. Aditya Sharma and Mr. Rishabh Jain, Advocates for respondent No.3.

Mr. K.P. Malik, ACP/Legal Division PHQ (through video conferencing)

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Date of Decision: 02<sup>nd</sup> April, 2024

**CORAM:**

**HON'BLE THE ACTING CHIEF JUSTICE**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

### **JUDGMENT**

#### **MANMOHAN, ACJ : (ORAL)**

1. The Registry has informed us that there are currently thirty-four (34) pending cases/appeals/revisions involving MP's and MLA's, before the Single Bench of this Court in which orders of stay of trial have been passed and are continuing for a period of more than six months.

2. As such Registry is directed to re-allocate/re-distribute these cases to such Courts/Benches as is considered appropriate and effective for



2024:DHC:2700-DB



expeditious disposal of such cases, so that stay applications are disposed of in the subject cases expeditiously and trial of such cases can conclude before the designated Special Courts.

3. In line with the directives passed by Hon'ble the Chief Justice of India in *W.P.(C) No.699 of 2016* titled as *Ashwini Kumar Upadhyay vs. Union of India & Anr.*, we direct the Registry of this Court to circulate this order to brother and sister Judges assigned with such cases so that priority is given to all criminal cases/appeals/revisions pending before them against the members of Parliament and Legislative Assemblies, as it is essential for expeditious and effective disposal of such cases.

4. So far as the subject cases pending before the District Court are concerned, in continuation of the earlier directions issued by us vide our order dated 21<sup>st</sup> December, 2023, we also direct the concerned designated Courts to give priority, first of all criminal cases against MP's and MLA's punishable with death or life imprisonment, then to cases punishable with imprisonment for five (5) years or more and then hear other cases. We also request all the Judges to refrain from adjourning the subject cases except for rare and compelling reasons.

5. List on 20<sup>th</sup> May, 2024.

**ACTING CHIEF JUSTICE**

**MANMEET PRITAM SINGH ARORA, J**

**APRIL 2, 2024**

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