

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
RAJYA SABHA
QUESTION NO 21.12.2009
ANSWERED ON
CASES AWAITING VERDICT .

3471

Shri Rama Chandra Khuntia

Will the Minister of COALCOALLAW & JUSTICE be pleased to state :-

:

- (a) whether there is any specific period for the trial of cases in courts and pronouncement of judgement;
- (b) Whether it is a fact that after completion of hearing, witness examination of both the sides, pronouncement of judgement could be pending for years together; and
- (c) if so, the number of cases in different High Courts in which judgement has not been pronounced even after one year of completion of hearing?

ANSWER

MINISTER OF LAW AND JUSTICE

(Dr. M. VEERAPPA MOILY)

(a):As per Section 309 of the Code of Criminal Procedure, 1973, in every inquiry or trial, the proceedings shall be held as expeditiously as possible and in particular, when the examination of witnesses has once begun, the same shall be continued from day to day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded. As per section 353 of the Code, the judgement in every trial in any Criminal Court of original jurisdiction shall be pronounced in open Court by the Presiding Officer immediately after the termination of the trial or at some subsequent time of which notice shall be given to the parties or their pleaders...

(b) &(c): In majority of cases, judgments are delivered by the judges as soon as the hearing is completed. Information on the number of cases in different High Court in which judgment has not been pronounced even after one year of completion of hearing is not maintained. However, as per the information received, no case is pending for more than one year for pronouncement of judgment in the High Courts of Kerala, Chhatisgarh and Himachal Pradesh. 3 cases in 2007 and 27 cases in 2008 were awaiting verdict for more than one year in the High Court of Calcutta.