

News

Serious worry: the Supreme Court notes that High Courts are taking too long to submit their rulings.



The Court stated that this conduct was extremely concerning and that such delays deny petitioners the opportunity to promptly seek judicial relief.

Recently, the Supreme Court brought attention to the increasing trend of High Courts issuing operational portions of its rulings but posting the whole judgment on its website months or even years later.

According to a bench consisting of Justices **JB Pardiwala** and **Sandeep Mehta**, this conduct is extremely concerning, as it deprives plaintiffs of their right to timely judicial redress.

The Court further stated that it hoped that no High Court would postpone posting reasoned orders in the future, particularly after the operative portion of a judgment has been rendered.

It emphasized that the Bench was merely restating the rulings previously established in *Anil Rai v. State of Bihar* at this time.

Over time, a small number of High Courts have adopted the practice of issuing the order's operational portion without the reasoned decision, and then uploading the reasoned judgment after a significant amount of time. In numerous rulings and directives, this Court has condemned this behavior. We hope that we won't encounter any cases where the High Court takes too long to upload the reasoned order, especially after the operative portion of the judgment is delivered. All we are doing now is restating the rulings made by this Court in *Anil Rai* (above)," the Court stated.

A challenge against a Punjab & Haryana High Court ruling that maintained an accused person's conviction in a 1998 murder case was being heard by the supreme court.

An injured eyewitness filed a First Information Report (FIR) claiming that appellant **Rajan** tried to shoot the victim with a firearm but was unsuccessful.

But he was fatally wounded when two co-accused, Naresh and Vikas, shot him with double-barrel weapons. There was another accused with a sword.

Three people were found not guilty by the trial court, but **Rajan** and Vikas were found guilty. After escaping, Naresh was apprehended, put on trial separately, and found guilty.

Rajan, who was offended by the order, filed a challenge in the Punjab and Haryana High Court. He went to the Supreme Court when the High Court rejected his appeal and upheld his conviction.

Rajan said that no firearm was found on him and that there was serious prejudice due to the two-year, five-month delay in posting the High Court's reasoned ruling.

The Court dismissed these arguments, concluding that consistent eyewitness testimony did not prove that the weapon's non-recovery was lethal.

Regarding the matter of delay, the Court voiced grave concerns about High Courts issuing operational portions of rulings but posting comprehensive orders much later.

"It is extremely concerning that the High Court delayed downloading the judgment for approximately two years and five months. We must not ignore this truth. At the High Court's request, we have given this postponement careful consideration," the Court stated.

It reaffirmed the rules established in *Anil Rai v. State of Bihar* (2001), making it clear that a conviction cannot be overturned based solely on delay unless bias is demonstrated.

"We have reached the conclusion that despite there being a delay of 2 years 5 months in uploading the judgment, the oral testimony of the two eyewitnesses inspires confidence and there is nothing on record in the form of any intrinsic evidence to render their testimony doubtful," the Court stated.

As a result, the Court denied the appeal and ordered that its ruling be distributed to all High Courts.