

CANADA / JUDGMENT

R. v. Pasini

[1992] 1 SCR 1017

COURT

Supreme Court of Canada

DECIDED

29 April 1992

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R. v. Pasini Collection Supreme Court Judgments Date 1992-04-29 Report

[1992] 1 SCR 1017 Case number 22356, 22357, 22360, 22361, 22363, 22364, 22666, 22730 Judges La Forest, Gérard V.; L'Heureux-Dubé, Claire; Sopinka, John; Gonthier, Charles Doherty; McLachlin, Beverley; Stevenson, William; Iacobucci, Frank On appeal from Quebec Subjects Constitutional law Notes SCC Case Information: 22356, 22357, 22360, 22361, 22363, 22364, 22666, 22730 Decision Content R. v. Pasini, [1992] 1 S.C.R. 1017 Claude Laberge Appellant v. Her Majesty The Queen Respondent and between André Dufresne Appellant v. Her Majesty The Queen Respondent and between Jacques Côté and Pierre Côté Appellants v. Her Majesty The Queen Respondent and between Robert Lavigne, Serge Joly and Pierre Joly Appellants v. Her Majesty The Queen Respondent and between Marie-France Pasini and Benoît Ratté Appellants v. Her Majesty The Queen Respondent and between Gilbert Wasser Appellant v. Her Majesty The Queen Respondent and between Michel Juneau Appellant v. Her Majesty The Queen Respondent and between Gérard Deslongchamps Appellant v. Her Majesty The Queen Respondent Indexed as: R. v. Pasini File Nos.: 22356, 22357, 22360, 22361, 22363, 22364, 22666 and 22730. 1992: April 29. Present: La Forest, L'Heureux-Dubé, Sopinka, Gonthier, McLachlin, Stevenson and Iacobucci JJ. on appeal from the court of appeal for quebec Constitutional law -- Charter of Rights -- Trial within a reasonable time -- Stays of proceedings ordered by Superior Court judge quashed. APPEALS from a judgment of the Quebec Court of Appeal, [1991] R.J.Q. 669, 63 C.C.C. (3d) 436, 4 C.R. (4th) 188, allowing the Crown's appeal and quashing the stays of proceedings ordered by the Superior Court, R.J.P.Q. 88-151. Appeals dismissed. Jean-Claude Hébert, for the appellant Laberge. Sophie Bourque, for the appellant Dufresne. Bernard Lamarche, for the appellants Côté, Juneau, Ratté and Deslongchamps. Danielle Roy, for the appellants Lavigne and Joly. Sylvain De Lagrave, for the appellant Pasini. Alain Régnier, for the appellant Wasser. Michel Denis, for the respondent. //La Forest// English version of the judgment of the Court delivered orally by La Forest J. -- It will not be necessary to hear from you Mr. Denis. The Court is ready to hand down judgment. The judgment will be pronounced by Mr. Justice Gonthier. Gonthier J. -- These are appeals as of right from a decision of the Quebec Court of Appeal quashing stays of proceedings on grounds of unreasonable delay ordered by Tannenbaum J. We are all in

agreement with the Court of Appeal's conclusion that in the exceptional circumstances of this case it was open to the prosecution to exercise its discretion to declare a stay of proceedings by way of nolle prosequi and that there were no grounds for the stay of proceedings ordered by Tannenbaum J. Accordingly, the appeals are dismissed. Judgment accordingly. Solicitors for the appellants Laberge and Dufresne: Hébert, Bourque, Montréal. Solicitors for the appellants Côté, Ratté and Juneau: Barrière, Côté, Girard, Lamarche, Pinard & Rumanek, Montréal. Solicitor for the appellants Lavigne and Joly: Danielle Roy, Montréal. Solicitor for the appellant Pasini: Sylvain De Lagrave, Montréal. Solicitor for the appellant Wasser: Alain Régnier, Montréal. Solicitors for the appellant Deslongchamps: Melançon, Bertrand & Associés, Laval. Solicitor for the respondent: Michel Denis, Montréal.

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