

Court No. - 81

Case :- MATTERS UNDER ARTICLE 227 No. - 5307 of 2023

Petitioner :- Narottam Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Prabhat Kumar Srivastava,Prakhar Srivastava

Counsel for Respondent :- G.A.

Hon'ble Mrs. Jyotsna Sharma,J.

1. Heard Sri Prakhar Srivastava, learned counsel for the petitioner and Sri Suresh Chandra Mishra, learned AGA for the State.

2. This petition under Article 227 of the Constitution has been filed with the only prayer that the learned Special Judge, Gangster Act, Ghaziabad be directed to expedite the hearing of misc. case no. 24 of 2014 (State vs. Vijay Pratap Singh and Others) arising out of case crime no. 2707 of 2010 under section 2/3 of Gangster Act.

3. The submission of the petitioner is that he lodged an FIR case crime no. 106 of 2009 under sections 420, 406, 467 and 468 IPC and after investigation a chargesheet against respondent no. 2 and his wife-Vinita Singh has been filed and the case is pending

4. Further on the basis of several cases registered against the respondents (which have been detailed in the gangchart), a case crime no. 2707 of 2010 under section 2/3 of Gangster Act was lodged, however after investigation, the police submitted a final report which has been registered as case no. 24 of 2014. It is further submitted by the petitioner that he moved a protest application against final report and the same is still pending for decision of the court concerned.

5. Learned AGA submits that the case under section 2/3 of Gangster Act was lodged on the basis of a report given by Sri Rajesh Kumar Dwivedi, S.H.O., Police Station-Indirapuram, District Ghaziabad, therefore the petitioner has no locus standi to file any protest application in this matter.

6. The Additional District and Sessions Judge, Court no. 14, Ghaziabad has given a report assuring this court that he shall make an endeavor to decide the case within a period of 3 months.

7. Keeping this legal point open i.e., whether the petitioner has any locus standi to protest against a final report submitted in case crime no. 2707 of 2010 under section 2/3 of Gangster Act or not, it is directed that the court concerned shall expedite the hearing and make every endeavor to decide the same preferably within a period of 3 months .

8. Accordingly, this petition is **disposed of**.

9. A copy of the order be certified to the court concerned.

Order Date :- 16.10.2023

#Vikram/-