

Court No. - 69

Case :- APPLICATION U/S 482 No. - 3514 of 2002

Applicant :- Irfan

Opposite Party :- State of U.P.

Counsel for Applicant :- Rajiv Gupta, Ansar Ahmad, Dilip Kumar

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Samit Gopal, J.

1. List revised.

2. Sri Ansar Ahmad, learned counsel for the applicants and Sri Ajay Singh, learned AGA-I for the State have been heard and records have been perused.

3. The present application U/s 482 Cr.P.C. has been filed before this Court by the applicants Irfan, Ahsan Ullah, Subhan Ullah, Waseem and Yaseen with the following prayers:-

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow this application, quash the entire proceeding based upon the charge sheet Nos. 8/2002 and 9/2002 dated 10.01.2002, arising out of Case Crime Nos. 763/2001 and 764/2001 (annexure No. XII to the accompanying affidavit) and the order dated 16.03.2002, passed by the learned Chief Judicial Magistrate, Etawah (Annexure No. XIII to the accompanying affidavit), committing the case to the Court of Session, and the applicants' prosecution may also be set aside. Or pass any other order which this Hon'ble Court may deem fit and proper under the circumstance of the present case.

It is further prayed that during the pendency of this application before this Hon'ble Court, further proceeding of Session Trial No. 143 of 2002 - State Vs. Irfan and others, pending in the court of Additional Session Judge (Fast Track Court), Etawah, may be stayed, failing which the applicants shall suffer irreparable loss and injury."

4. Learned counsel for the applicants submits that he does not intend to agitate the matter on its merit but his only prayer is that the trial of the present case be expedited to reach its logical conclusion in a specific period of time. He submits that the

applicants are on bail and shall not misuse the liberty of bail and shall appear before the trial court without seeking undue adjournments in the matter and shall cooperate in the early disposal of the trial. He further submits that in so far as the challenge on merits of the case is concerned, the same is not being done looking to the nature of the matter.

5. Learned counsel for the State has no objection to the same.

6. In view of the limited arguments of learned counsel for the applicants, it is provided that the trial of the applicants as pending before the concerned trial court, is expedited so as to reach to its logical conclusion, as expeditiously as possible, without granting undue adjournments to either of the parties, preferably within a period of one year, subject to any legal impediment.

7. The petition stands disposed of with the aforesaid direction.

8. Interim order, if any, thus stands vacated.

Order Date :- 27.10.2023

M. ARIF

(Samit Gopal, J.)