

Court No. - 90

Case :- APPLICATION U/S 482 No. - 32820 of 2023

Applicant :- Shiv Kumar

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Subedar, Rajesh Kumar Patel

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak, J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The present application has been filed on behalf of the accused beseeching the expeditious disposal of Criminal Case No. 1282 of 2017 (State Vs. Shiv Kumar) arising out of Case Crime No. 101 of 2017, under Section 380, 457 IPC, Police Station Ahraula, District Azamgarh pending in the court of Judicial Magistrate, Court No. 18, Azamgarh.
3. It is submitted that with respect to the incident dated 1.12.2017, an FIR, being Case Crime No. 0101 of 2017, has been lodged on 2.2.2017. The Investigating Officer, after due investigation, has submitted charge sheet on 10.5.2017. On the aforesaid charge sheet, cognizance has been taken on 14.6.2017. It is further submitted that charges were already framed and, now, normal dates are being fixed for the evidence.
4. Learned AGA has no objection in case a direction is issued for expeditious disposal of the aforesaid case within some stipulated period as may be directed by this Court.
5. In this conspectus, as above, having considered the old incident of February, 2017 and the earnest prayer made by the applicant in the instant application, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case as mentioned in the present application, with a direction to court concerned before whom the aforementioned case is pending disposal, to decide the same expeditiously, preferably, within a period of twelve months (one year) from the date of receipt of a certified copy of this order.

6. It is expected that the matter should be decided by a reasoned and speaking order, in accordance with law, after affording opportunity of hearing to the parties concerned without granting unnecessary adjournments to either of the parties.

7. With the aforesaid direction, present writ petition is disposed of.

Order Date :- 6.11.2023

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