

Court No. - 80

Case :- CRIMINAL MISC. WRIT PETITION No. - 14440 of 2023

Petitioner :- Sunil Kumar Gupta

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Sanjay Mishra, Dhananjay Mishra

Counsel for Respondent :- G.A.

Hon'ble Subhash Chandra Sharma, J.

Sri Karshit Nigam, learned counsel for the respondent nos.3 & 4 appeared and stated that he has filed his vakalatnama yesterday in the registry.

Heard learned counsel for the petitioner as well as learned counsel for the respondent nos.3 & 4 alongwith learned A.G.A. for the State and perused the record.

The present writ petition under Article 226 of the Constitution of India has been moved with following prayers :-

I- Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent no.2 to decide the Case No.01 of 2022 (Sunil Kumar Gupta vs. Arvind Kumar & others) under Section 133 Cr.P.C. pending in the court of City Magistrate, Etawah within stipulated period.

II- Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper on the facts and circumstances of the present writ petition filed by the petitioner.

It is submitted by learned counsel for the petitioner that proceedings u/s 133 Cr.P.C. in Case No.01 of 2022 are pending before the court of learned City Magistrate, Etawah from 07.07.2022, therefore, direction be issued to the learned Magistrate to decide the case within stipulated time.

Learned counsel for the respondents as well as learned A.G.A. contended that in this case there is no any urgency, therefore, it does not require any direction from this Court for expeditious disposal of the case but he may approach the court concerned in this regard.

Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, it is expedient to direct the learned court concerned to make its endeavour to decide the case as expeditiously as possible within a period of six months from the date of production of certified copy of this order, in accordance with law.

Accordingly, this writ petition is ***disposed of*** finally.

Order Date :- 19.10.2023

Ashok Gupta