

Court No. - 90

Case :- APPLICATION U/S 482 No. - 34004 of 2023

Applicant :- Prashant Arjariya

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

Counsel for Applicant :- Brij Lal Shukla

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 applicant has invoked the inherent power of this Court under Section 482 Cr.P.C. beseeching the expeditious disposal of Complaint Case No.1473 of 2022 (Smt. Richa vs. Prashant and others), under Section 12 of Domestic Violence Act, Police Station Nandgram, District Ghaziabad, pending in the court of learned A.C.J.M.-III, Ghaziabad.
3. It is submitted by learned counsel for the applicant that opposite party no.2 has moved an application under Section 12 of Protection of Women from Domestic Violence Act, which is pending consideration since the date of its filing i.e. 13.09.2022, despite the fact that the statutory period to decide the same as enunciated under Section 12 (5) of D.V. Act has already been expired. In the aforesaid matter, all the persons, who were arrayed as opposite parties in the proceeding have appeared and filed their objection.
4. Learned AGA has no objection in case a direction is issued for expeditious disposal of the aforesaid matter.
5. In this conspectus, as above, 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 the Additional Chief Judicial Magistrate-III, Ghaziabad before whom the aforementioned case is pending consideration to decide the same expeditiously, preferably, within a statutory period as enunciated under Section 12 (5) of the D.V. Act, in accordance with law, from the date of receipt of a certified copy of this order.

6. With the aforesaid direction, present application is disposed of.

Order Date :- 3.11.2023

Jitendra