

**Court No. - 90**

**Case :- APPLICATION U/S 482 No. - 33930 of 2023**

**Applicant :- Kalicharan**

**Opposite Party :- State Of U.P. And 3 Others**

**Counsel for Applicant :- Gautam**

**Counsel for Opposite Party :- G.A.**

**Hon'ble Dinesh Pathak,J.**

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. The present application U/s 482 Cr.P.C. has been filed beseeching the expeditious disposal of Complaint Case No. 2418 of 2022 (Kali Charan Vs. M/s Shanti Sheet Grah Pvt. Ltd. and others), under Section 138 of Negotiable Instruments Act, pending before the court of learned Judicial Magistrate, Orai, District Jalaun.

3. It is submitted by learned counsel for the applicant that the present applicant has moved a complaint under Section 138 of N.I. Act, which is pending since the date of its filing i.e. 28.05.2022, despite the fact that the statutory period to decide the same as enunciated under Section 143(3) of N.I. Act has already been expired. In the aforesaid matter, learned Magistrate has issued a process under Section 138 of N.I. Act, vide order dated 14.07.2022. Since then, normal dates are being fixed for issuing non-bailable-warrant against the accused who is throughout avoiding the proceedings. It is further submitted that no fruitful steps have been taken by the court concerned to ensure the presence of the applicant and decide the aforesaid matter as per law.

4. Learned A.G.A. has no objection in case a direction is issued for early disposal of the case.

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 court concerned before whom the aforementioned case is pending disposal, to decide the same expeditiously, preferably, within the statutory period as enunciated under Section 143(3) of N.I. Act.

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, instant application is **disposed of**.

**Order Date :- 17.10.2023**

Mini