

Court No. - 87

Case :- APPLICATION U/S 482 No. - 37559 of 2023

Applicant :- Avanendu @ Avanindra @ Munna Lal

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Dharendra Kumar Srivastava, Shaym Dhar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. Present 482 Cr.P.C. application has been filed seeking direction to court below for early decision of trial of Criminal Case No. 1800 of 2011, arising out of case crime no. 436 of 2010, under Sections-323, 325, 504 IPC, Police Station- Nawabganj, District-Allahabad, pending before the court of Additional of Civil Judge(J.D.)/Judicial Magistrate-VII, Allahabad within stipulated period.
3. Learned counsel for the applicant submitted that earlier applicant has filed Application U/s 482 No. 38990 of 2016, which was disposed off vide order dated 17.12.2016 with protection of 30 days to applicant to obtain bail and pursuant to order dated 17.12.2016, applicant has obtained bail. He next submitted that now, the proceeding of trial has been stayed by the trial Court only on the ground that there is stay of proceeding by the High Court. He firmly submitted that to the best of his knowledge, there is no such stay of proceeding, therefore, direction may be issued to Additional of Civil Judge(J.D.)/Judicial Magistrate-VII, Allahabad to decide the case expeditiously, as it is pending since 2011.
4. Considering the facts and circumstances of the case, this application is **disposed of** with a direction to Additional of Civil Judge(J.D.)/Judicial Magistrate-VII, Allahabad to decide the aforesaid case in accordance with law, if possible within a period of one year from the date of production of a certified copy of this order and after providing opportunity of hearing to all concerned without granting any unnecessary adjournment to either of the parties, if there is no other legal impediment.
5. In case there is any such stay order of the High Court, trial Court is directed to pass order giving full details of case number including names of parties, by which proceedings have been stayed by the High Court.

Order Date :- 6.11.2023

ADY