

Court No. - 90

Case :- APPLICATION U/S 482 No. - 34453 of 2023

Applicant :- Smt Poonam

Opposite Party :- State Of U.P. And 4 Others

Counsel for Applicant :- Navin Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The applicant has invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C. beseeching expeditious disposal of Complaint Case No. 37 of 2021 (State Vs. Abiral and others), under Sections 12, 18, 19, 20, 22 of Domestic Violence Act, Police Station- Khurja Nagar, District- Bulandshahr, pending in the Court of learned Additional Chief Judicial Magistrate, Khurja, District- Bulandshahr.
3. It is submitted by the learned counsel for the applicant that the application moved on behalf of the present applicant is pending consideration since the date of its filing i.e. 05.03.2020 despite the fact that the statutory period for deciding the application as enunciated under Section 12(5) of the Domestic Violence Act has already been expired. It is further submitted that the opposite party has already appeared and filed his objection but only normal date has been fixed for the evidence of the plaintiff/present applicant.
4. Learned A.G.A. states that he has no objection in case the aforesaid case is directed to be decided within a stipulated period as fixed by this Court.
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 learned Additional Chief Judicial Magistrate, Khurja, District- Bulandshahr, before whom the case is pending, to decide the same expeditiously, preferably within a period of three months from the date of production of a certified copy of this order.

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

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

Order Date :- 12.10.2023

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