

Court No. - 90

Case :- APPLICATION U/S 482 No. - 34592 of 2023

Applicant :- Shiv Kumar

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

Counsel for Applicant :- Amit Kumar Singh

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 applicant has invoked the inherent jurisdiction of this court U/S 482 Cr.P.C. beseeching the expeditious disposal of the Criminal Case No.100 of 2010 (Old No.123 of 2009) (State Vs. Rahul Sahani) arising out of Case Crime No.192 of 2009, under Sections 147, 149, 302, 323, 325, 504, 506 I.P.C. and 3(1)3, 3(1)X and 3(2)(v) SC/ST Act, Police Station - Kapilvastu, District Siddharth Nagar, pending in the court of learned Juvenile Justice Board, Siddharth Nagar.
3. Instant application has been filed on behalf of the complainant. It is submitted that the trial of juvenile (respondent No.2) is pending consideration before the Juvenile Justice Board since 2009. Normal dates are being fixed for the evidence. The trial is being protracted due to non cooperation of private respondent no.2.
4. Learned AGA has no objection in case a direction is issued for expeditious disposal of the aforesaid trial within stipulated period as directed 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 learned Juvenile Justice Board, Siddharth Nagar, before whom aforementioned application is pending consideration to decide the same expeditiously, preferably, within a period of twelve months, from the date of receipt of a certified copy of this order.

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

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

Order Date :- 7.11.2023/vkg