

Court No. - 77

Case :- MATTERS UNDER ARTICLE 227 No. - 9844 of 2023

Petitioner :- Anmol Kumar

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Madan Mohan, Parmeshwar Yadav

Counsel for Respondent :- G.A.

Hon'ble Mrs. Renu Agarwal, J.

Heard learned counsel for the petitioner and learned A.G.A for the State.

The present petition under Article 227 of the Constitution has been filed for a direction to the Additional Chief Judicial Magistrate, Room No. 9 Allahabad to take coercive steps against the opposite parties and to decide the complaint Case no. 2316 of 2017 (Anmol Kumar Vs. Mangla Prasad and others) expeditiously within a stipulated period.

It is submitted by the learned counsel for the petitioner that initially the petitioner moved an application under Section 156 (3) Cr.P.C against the opposite party Mangla Prasad which was converted into a complaint and the opposite party was summoned under Sections 323, 504, 506 IPC by the court concerned and since 10.10.2019 no steps have been taken.

Learned counsel for the petitioner has confined his prayer only that the direction may be issued to the learned Additional Chief Judicial Magistrate, Room No. 9 Allahabad to decide the complaint Case no. 2316 of 2017 (Anmol Kumar Vs. Mangla Prasad and others) expeditiously within a stipulated period.

Learned counsel for the petitioner has drew my attention to the order sheet of the learned trial court which goes to show that opposite parties/ accused persons are not appearing in the trial court and bailable warrant were issued against the accused. In spite of the aforesaid bailable warrant the accused persons are not appearing in the court concerned.

In view of the aforesaid discussions learned trial court concerned is directed to take steps for appearance of the accused persons in the court and to decide the aforementioned case preferably within

a period of one year from the date of receipt of certified copy of this order.

With the aforesaid direction the writ petition stand disposed of.

(Renu Agarwal,J.)

Order Date :- 20.11.2023

Nadeem