

Court No. - 93

Case :- APPLICATION U/S 482 No. - 35439 of 2023

Applicant :- Vidya Bhushan Tiwari

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

Counsel for Applicant :- Brijesh Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri B.K. Mishra, learned counsel for the applicant and Sri Uday Bhan, learned A.G.A. for the State.

2. The present application has been filed to direct the court below to decide the Complaint Case No.3287 of 2018 (Vidya Bhushan Tiwari Vs. Vinay Prakash Singh), filed u/s 138 of Negotiable Instruments Act, 1881 (hereinafter referred to as the 'Act, 1881'), Police Station-Kotwali, District-Deoria, pending in the court of Civil Judge (J.D.) Court/Room No.26, Deoria, expeditiously within a stipulated period.

3. From perusal of the record, it appears that this complaint under the Act, 1881 was filed in the year 2017.

4. As per Section 143(2) of the Act 1881, the trial for the offence under the Act, 1881 should be conducted on day to day basis and it is further provided u/s 143(3) of the Act 1881, the trial should be concluded, within a period of six months from the date of filing of the complaint.

5. Considering the above fact, this Court directs the Civil Judge (J.D.) Court/Room No.26, Deoria, to conclude the trial of Complaint Case No.3287 of 2018 (Vidya Bhushan Tiwari Vs. Vinay Prakash Singh), filed u/s 138 of the Act, 1881, Police Station-Kotwali, District-Deoria, as expeditiously as possible, preferably within a period of six months from the date of receipt of a certified copy of this order, strictly in accordance with the statutory provision of Sections-143(2) and 143(3) of the Act, 1881.

6. With the aforesaid direction, the application is **disposed of**.

Order Date :- 12.10.2023

S.Chaurasia