

Court No. - 93

Case :- APPLICATION U/S 482 No. - 35787 of 2023

Applicant :- Abdul Wahid

Opposite Party :- State Of U.P. And 17 Others

Counsel for Applicant :- Surendra Mohan Mishra, Vishveshwar Mani Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal, J.

Heard Sri Vikas Yadav, Advocate holding brief of Sri Surendra Mohan Mishra, learned counsel for the applicant and Sri Rajeev Kr. Singh, learned A.G.A. for the State.

The present application has been filed to direct the learned Judicial Magistrate, Siddharth Nagar to expedite the proceeding of Criminal Case No. 6691 of 2022 (*State vs. Arbaz and others*), arising out of Case Crime No. 62 of 2022, u/s 147, 148, 149, 323, 336, 504, 506, 452, 427, 308 I.P.C., P.S. Lotan, District Siddharth Nagar, within a stipulated period.

Contention of counsel for the applicant is that the trial of aforesaid case is pending since 2022 and out of 17 accused, only eight accused have obtained bail and remaining accused are still absconding, because of this, trial of this case could not be proceeded further.

As the present case is triable by the Sessions Court and the record shows that this case has still not been committed to the Sessions Judge, in view of the above, the Judicial Magistrate, Siddharth Nagar is directed to adopt coercive measure for ensuring presence of remaining accused persons who have not obtained bail and, thereafter, immediately commit the aforesaid case to the Sessions Court as expeditiously as possible.

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

Order Date :- 13.10.2023

Vandana