

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36395 of 2023

Applicant :- Pinky Pandey

Opposite Party :- State Of U.P. And 6 Others

Counsel for Applicant :- K.C. Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Pinky Pandey-Applicant has approached this Court through this application under Section 482 Code of Criminal Procedure for issuance of directions to the Civil Judge (J.D.)/ F.T.C.-Ist, Varanasi to expeditiously conclude the trial proceedings of Complaint Case No. 174 of 2020, titled *Pinky Pandey Vs. Vaishnav Prakash Pandey and others*, under Sections 498-A, 323 I.P.C., Section 3/4 Dowry Prohibition Act, 1961, Police Station Sarnath, District Varanasi in a stipulated period.

Learned counsel for applicant submits that the subject complaint was instituted in the year 2020 and the process against the accused persons stands issued, whereas, one of the accused namely, Vaishnav Prakash Pandey is yet to appear before the trial court. He refers to the *zimni* orders passed by the trial court and submits that it would be in the interest of justice, if, the trial proceedings are expedited.

After hearing the learned counsel and considering his submissions, this Court finds that though the complaint was instituted in the year 2020, but in

the said complaint process against the accused was issued on 10.6.2022, thereafter, the co-accused persons were granted bail on 8.10.2022. Further, the trial court is taking steps to secure presence of unserved accused namely, Vaishnav Prakash Pandey, thus considering the background of this case, it is not a case of long delay in conclusion of trial proceedings.

Recently, the Hon'ble Supreme Court has made observation in the order dated 10.11.2023 passed in **Writ Petition(s) (Criminal) No. 587 of 2023, titled Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra** that the constitutional court should not in a routine manner fix a time frame for a pending case before trial court for its conclusion in a specific time frame.

Thus, finding no exceptional ground, this Court is not inclined to exercise the inherent powers under Section 482 Cr.P.C. The application fails and is dismissed.

Order Date :- 23.11.2023

P.S.Parihar