

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36056 of 2023

Applicant :- Dhruv Singh @ Kuntu Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Devendra Mohan Singh

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Devendra Mohan Singh, learned counsel for the applicant and Sri Sanjay Kr. Singh, learned A.G.A. for the State.

2. The present application has been filed for directing the Special Judge (E.C. Act), Azamgarh to decide the S.T. No. 301/2008 (*State of U.P. vs. Dhruv Snigh @ Kuntu Singh*), arising out of Case Crime No. 645 of 2002, u/s 307, 504, 506 I.P.C. and 7 Criminal Law Amendment Act, P.S. Dullahpur, District Ghazipur, within a stipulated period.

3. Contention of learned counsel for the applicant is that the applicant is an accused in Sessions Trial No. 301 of 2008 and trial of this case was transferred on 19.7.2019 from Ghazipur to Azamgarh, in pursuance of order of this Court passed in Transfer Application (Criminal) No. 274 of 2019. It is further submitted that the applicant is in jail for more than 10 years and trial in question has not yet been concluded.

4. From perusal of the order sheet, it appears that till date only PW-1 has been recorded and trial could not be proceeded for the reason that the applicant was not brought to the court from jail by the police authority on a number of occasions.

5. In view of the above, learned Special Judge (E.C. Act), Azamgarh is directed to conclude the trial of Special Judge (E.C. Act), Azamgarh to decide the S.T. No. 301/2008 (*State of U.P. vs. Dhruv Snigh @ Kuntu Singh*), arising out of Case Crime No. 645 of 2002, u/s 307, 504, 506 I.P.C. and 7 Criminal Law Amendment Act, P.S. Dullahpur, District Ghazipur, expeditiously preferably within a period of one year from the date of production of certified copy of this order.

6. It is clarified that the trial may not be adjourned on the ground that the applicant was not brought to the court because presence of the applicant can also be recorded through video conferencing. It is further directed that for ensuring presence of the witnesses, the court below shall adopt coercive measure so that trial may be concluded expeditiously.

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

Order Date :- 16.10.2023

Vandana