

Court No. - 89

Case :- APPLICATION U/S 482 No. - 36320 of 2023

Applicant :- Azeemuddin Khan

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

Counsel for Applicant :- Shiv Prakash

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned A.G.A for the State as also perused the record.
2. This application under Section 482 Cr.P.C. has been filed seeking direction to the court below for early decision of Complaint Case No.35757 of 2022 (Azeemuddin versus Mohd. Rafi), under Section 138 Negotiable Instrument Act, Police Station Kotwali, District Moradabad, pending before the Additional Court, 138 N.I. Act, Moradabad.
3. Learned counsel for the applicant submitted that applicant is complainant and lodged complaint against opposite party no.2, under Section 138 Negotiable Instrument Act, the same is pending since 2022 as opposite party is not co-operating in the trial proceedings. It is next submitted that proceeding under Section 138 Negotiable Instrument Act must be completed within six months, whereas, one year have been passed.
4. Considering the fact that the trial has remained pending since 2022. Without expressing any opinion on the merits of the case, this application is finally **disposed of** with a direction to the court below to decide the aforesaid case in accordance with law, as expeditiously as possible, without granting any unnecessary or long adjournments to either of the parties, preferably within a period four months from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 23.11.2023

I.A.Siddiqui