

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36760 of 2023

Applicant :- Pankaj Kumar Singh @ Pankaj Singh @ Golu Chaudhary

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

Counsel for Applicant :- Nirvikalp Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Heard Sri Prarabdha Pandey, Advocate holding brief of Sri Nirvikalp Pandey, learned counsel for the applicant, Sri Rajeev Kumar Singh, learned AGA for the State and perused the record.

2. Present application under Section 482 Cr.P.C. has been filed to direct the trial court to conclude the Session Trial No.200 of 2017, arising out of Case Crime No.856 of 2015, under Sections 147, 148, 149, 323, 352, 447, 504, 427, 307 IPC, Police Station Bilhaur, District Kanpur Nagar pending in the court of ADJ-1, Kanpur Dehat.

3. Contention of counsel for the applicant is that he is accused in the aforesaid case and this case is pending since 2017. He is cooperating in the trial but because of non-cooperation of prosecution, this case could not be completed.

4. The Hon'ble Apex Court in the case of **Hussainara Khatoon and others vs Home Secretary, State of Bihar; (1980) 1 SCC 81** has already observed that expeditiously disposal of trial is a fundamental right of a person.

5. In view of above, the Additional District Judge-1, Kanpur Dehat is directed to decide the Session Trial No.200 of 2017, arising out of Case Crime No.856 of 2015, under Sections 147, 148, 149, 323, 352, 447, 504, 427, 307 IPC, Police Station Bilhaur, District Kanpur Nagar, expeditiously preferably within a period of one year from the date of production of a certified copy of this order, in accordance with law.

6. It is further provided that for presence of witnesses, the court shall adopt coercive measure so that trial could be decided expeditiously.

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

Order Date :- 12.10.2023

A.Kr.