

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36759 of 2023

Applicant :- Ajay Kumar

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Pankaj Sharma, Pradeep Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Shiv Murti Kushwaha, Advocate holding brief of Sri Pradeep Kumar, learned counsel for the applicant, Sri Padamakar Rai, learned AGA for the State and perused the record.

2. Instant application under Section 482 Cr.P.C. has been filed to direct the court below to decide the trial of Complaint Case No. 802 of 2013, under Section 406, 417, 418 IPC, Police Station-Rasra, District Ballia, pending in the court of Additional Chief Judicial Magistrate-1st, Ballia.

3. Contention of learned counsel for the applicant is that the instant complaint is pending since 2013 due to non-cooperation of the accused persons, the trial could not be completed till date. It is further submitted that one accused Rajeev got interim protection from the High Court but there is no interim protection to other accused persons and these accused persons are not participating in the trial and direction may be issued to the court below to conclude the trial.

4. Considering the aforesaid submission, the Additional Chief Judicial Magistrate-1st, Ballia is directed to decide the trial of the aforesaid case expeditiously preferably within a period of one year from the date of receiving a copy of this order, in accordance with law.

5. It is further directed that ensuring the presence of accused persons, the court below shall adopt coercive measure in accordance with law.

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

Order Date :- 12.10.2023

A.Kr.