

Court No. - 90

Case :- APPLICATION U/S 482 No. - 38979 of 2023

Applicant :- Madhu Devi

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

Counsel for Applicant :- Ganesh Kumar

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.

2. The present applicant has invoked the inherent power of this Court under Section 482 Cr.P.C. beseeching the expeditious disposal of S.T. No.306 of 2022 (State vs. Raja Ram) in Case Crime No.253 of 2021, under Sections 363, 366, 342 I.P.C., Police Station Sonaha, District Basti, pending before the court concerned,Basti.

3. It is submitted by learned counsel for the applicant that qua incident dated 20.12.2021 at about 8:00 p.m., wherein minor daughter of the first informant (applicant) has allegedly been enticed away by one Pradeep Gupta son of Raja Ram Gupta, an F.I.R. has been lodged being Case Crime No.0252 of 2021 dated 24.12.2021. It is further submitted that the trial of the main accused, namely, Pradeep Gupta, who has been determined as a juvenile in conflict with law, has been separated and going on before the Juvenile Justice Board. However, trial of opposite party no.2 (father of the main accused) has been separated being Session Trial No.306 of 2022. It is further submitted that in the instant matter statement of two prosecution witnesses has already been completed, however, only one witness of fact and formal witnesses are remain to be examined. Pendency of the aforesaid trial causing harassment and oppression to the daughter of the first informant, therefore, court concerned may be directed to expedite the trial.

4. Learned AGA has no objection in case a direction is issued for expeditious disposal of the aforesaid matter.

5. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case as mentioned in

the present application, with a direction to court concerned, Basti before whom the aforementioned case is pending consideration to decide the same expeditiously, preferably, within a period of twelve months, in accordance with law, from the date of receipt of a certified copy of this order.

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

Order Date :- 28.11.2023

Jitendra