

Court No. - 86

Case :- APPLICATION U/S 482 No. - 38480 of 2023

Applicant :- Nirdosh Kumar

Opposite Party :- State Of U.P.And 2 Others

Counsel for Applicant :- Chitranshu Srivastav

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicant and the learned AGA for the State.
2. The present application u/s 482 Cr.P.C. has been filed with a prayer to direct the Special Chief Judicial Magistrate, Meerut to decide the Complaint Case No. 4113 of 2017 (Nirdosh Kumar Vs. Asad Galib and others), P.S. Sardhana, District-Meerut expeditiously within stipulated period.
3. The applicant is the complainant in the instant case.
4. Perusal of the record shows that earlier in application u/s 482 No. 4590 of 2020, exactly similar prayer was made. On 11.2.2020, this Court had passed following order:-

"Heard learned counsel for the applicant and learned A.G.A. for the State. Perused the record.

The present application under Section 482 Cr.P.C. has been filed to direct the learned Chief Judicial Magistrate, Meerut to decide the Complaint Case No.4113 of 2017 (Nirdosh Kumar vs. Asad Galib and others), Police Station-Sardhana, District-Meerut within stipulated period of time.

Submission of learned counsel for the applicant is that the complaint was moved in the year 2017 and till date no order with regard to taking cognizance/summoning order has been passed by the concerned court below.

Keeping in view that the matter relates to the year 2017 and no order has been passed so far, learned C.J.M., Meerut is directed to gear up the matter and to pass a well reasoned and speaking order in accordance with law after taking into account the statements u/s 200 and 202 Cr.P.C., which must be reflective of prima facie satisfaction of the Magistrate, within a period of one month from the date of production of

certified copy of this order.

With the aforesaid direction, this application is finally disposed of. "

5. From the perusal of the said order, it is evident that the prayer made by the applicant in the present application has already been considered by this Court and earlier order has been passed by this Court for proceeding with the instant case on 11.2.2020.

6. In view of the facts and circumstances of the case, no further order is required.

7. The present application u/s 482 Cr.P.C. is wholly misconceived and is accordingly dismissed.

Order Date :- 16.11.2023

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