

Court No. - 89

Case :- APPLICATION U/S 482 No. - 38213 of 2023

Applicant :- Abdul Vaheed

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Sameer Khan

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.7768 of 2021 (Old No.1222 of 2019) (7212 of 2016), under Section 138 of NI Act, Police Station- Masoori, District- Ghaziabad, pending before Civil Judge (JD)/FTC/JM, Ghaziabad.
3. Learned counsel for the applicant submitted that instant proceedings is pending since 2019 as opposite party is not co-operating in the trial proceedings. More than four years have passed but proceeding is not completed. Whereas Act itself provides that complaint lodged U/s 138 of N.I. Act must be concluded within six months.
4. Considering the fact that the trial has remained pending since 2019. 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 of 6 months from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 5.12.2023

Nitin Verma