

Court No. - 89

Case :- APPLICATION U/S 482 No. - 38247 of 2023

Applicant :- Sandeep Shahi

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

Counsel for Applicant :- Gulab Shankar Singh

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 Case No.3560 of 2022 (State Vs. Smt.Neha Dubey and another), under Section 145 Cr.P.C., Police Station-Cantt, District- Gorakhpur , pending before the City Magistrate, Gorakhpur.

3. Learned counsel for the applicant submits that on report of Tehsildar dated 28.09.2022, which is a spot inspection report and police report regarding property dispute between the parties. Learned City Magistrate initiated proceeding under section 145(1) Cr.P.C. and after considering report, issued show cause notice to both the parties. Applicant approach this Hon'ble Court and challenged the notices issued to him by filing Application u/s 482 Cr.P.C.No.36518 of 2022. Hon'ble Court by order dated 19.11.2022 rejected Application u/s 482 Cr.P.C. of the applicant. Learned counsel for the applicant submits that despite objection has been filed before the City Magistrate, proceeding under section 145(1) Cr.P.C. is pending since 2020.

4. Considering the fact that the proceeding has remained pending since 2020, 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 three months from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 16.10.2023

SKD