

Court No. - 45

Case :- APPLICATION U/S 483 No. - 1313 of 2023

Applicant :- Shashank Agrawal And 2 Others

Opposite Party :- State of U.P.

Counsel for Applicant :- Anand Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Vinod Diwakar,J.

1. Heard Shri Anand Kumar Srivastava, learned counsel for the applicants and learned A.G.A. for the State.

2. By means of the present application under Section 483 Cr.P.C., the applicants have sought for a suitable direction to the learned Civil Judge (Junior Division), F.T.C.-I/A.C.J.M.-VII, Varanasi to expedite Criminal Case No. 3990 of 2018 (State Vs. Shashank Agrawal and Others), arising out of Case Crime No. 186 of 2017, under Sections 504, 506, 427 I.P.C., P.S. Chauk Varanasi, District Varanasi, within time stipulated by this Court.

3. Learned counsel for the applicants submits that the charge-sheet in this case was filed on 25th August, 2017, and cognizance was taken on 7th December, 2018. It is further submitted that vide order dated 2nd September, 2022, the charges were framed against the accused-petitioners, and since then the evidence has not been recorded because of the reason that the witnesses are not coming forward to depose in Court despite repeated orders passed by the trial court for summoning the witnesses.

4. On perusal of the order-sheet, no plausible reason has transpired for non-appearance of the witnesses.

5. In the light of the fact that the matter has been listed for recording evidence of the witnesses number of times since 2nd September, 2022, the Civil Judge (Junior Division), F.T.C.-I/A.C.J.M.-VII, Varanasi is directed to consider and decide the aforesaid criminal case expeditiously on merits, in accordance with law.

6. With the aforesaid observation, the application is disposed of.

Order Date :- 7.11.2023

Shafique