

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39440 of 2023

Applicant :- Barkha Mishra

Opposite Party :- State Of U.P. And 5 Others

Counsel for Applicant :- Shambhavi Nandan

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant, learned A.G.A for the State and 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 Criminal Complaint Case No.5144 of 2022 (Barkha Mishra Vs. Ankit Mishra and others), under Sections- 12 of the Protection of Women from Domestic Violence Act, 2005, Police Station Pandeypur, District Varanasi, pending in the Court of Additional Civil Judge (J.D.)/ Judicial Magistrate, Court No.1, Varanasi.

3. Learned counsel for the applicant submitted that the applicant lodged the complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005. The opposite party nos.2 to 6 have filed objection and next submits that several dates have been fixed but on every dates proceeding is postponed. It is next submitted that the provision provided under the Code that proceedings must be decided within six months.

4. Considering the fact that the trial has remained pending since 2021. 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 six months from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 27.10.2023

SFH