

Court No. - 92

Case :- APPLICATION U/S 482 No. - 39921 of 2023

Applicant :- Shyam Bahadur Yadav

Opposite Party :- State Of U.P. And 8 Others

Counsel for Applicant :- Ray Sahab Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Ray Sahab Yadav, learned counsel for the applicant and Sri Brijesh Kumar Dwivedi, learned A.G.A. for the State.

2. The instant application has been filed on behalf of applicant seeking expeditious disposal of Criminal Case No.1742 of 2022 (State Vs. Hiralal and others) arising out of Case Crime No.0555 of 2019, under Sections 147, 323, 504, 506, 452 I.P.C., Police Station Mungra Badshahpur, District Jaunpur, pending in the court of Additional Chief Judicial Magistrate-5, Jaunpur within stipulated period.

3. Learned counsel for the applicant submits that the instant F.I.R. was lodged in the year 2019 and since then the matter is pending and the trial is not progressing due to non-cooperation of opposite party nos.2 to 9. It is further submitted that every time one or other person seeks adjournment in the present matter, therefore, the trial is pending.

4. Learned A.G.A. for the State submits that all possible steps are being taken by the learned trial court concerned, therefore, there is no necessity for passing any fresh order or direction for expeditious disposal. In the instant case, the summoning order was passed on 25.02.2020 and immediately thereafter Covid-19 situation had prevailed all over the country, therefore, interim order could not be extended and now the trial is progressing in accordance with law.

5. Having heard the rival submissions made by learned counsel for the parties, this Court has carefully perused the record of the case. It is apparent that the instant F.I.R. was lodged on 10.12.2019 and cognizance order was passed on 25.02.2020. Thereafter, Covid-19 situation had prevailed all over the country and in one and half years there was no progress in the case and now the matter is progressing in accordance with law and the trial court is taking all possible steps in accordance with law. If the applicant has any grievance he may approach before

the trial court.

6. In the considered opinion of this Court, there is no need for issuing any direction at this stage.

7. In view of the above, the instant application is **dismissed**.

Order Date :- 28.11.2023

Atul