

Court No. - 88

Case :- APPLICATION U/S 482 No. - 39537 of 2023

Applicant :- Akash Jain

Opposite Party :- State of U.P.

Counsel for Applicant :- Ravi Sahu, Anoop Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh, J.

1-Heard learned counsel for the applicant, learned Additional Government Advocate for the State/opposite party no.1 and perused the record.

2-By means of this application, the applicant has prayed for expeditious disposal of case being Case No. 715 of 2020 (Akash Jain Versus Vasu Jain) under Section 138 N.I. Act, Police Station-Juhi, District-Kanpur Nagar, pending in the Court of learned Metropolitan Magistrate, Court No.8, Kanpur Nagar, within the time-bound frame.

3-It is submitted by learned counsel for the applicant that the applicant is complainant in this case, who has filed a complaint under Section 138 N.I. Act on 23.01.2020 against opposite party no.2, in which, he was summoned vide order dated 27.08.2021. Pursuant to which, he has obtained bail on 28.02.2023 but thereafter on account of repeated adjournment applications moved by the accused, the trial proceeding is not going on effectively, whereas, as per provisions of Section 143(3) of N.I. Act, the trial under Section 138 N.I. Act should have been completed within six months.

4-Learned A.G.A. states that no useful purpose would be served in issuing notice to opposite party no.2 and keeping this application pending before this Court and it may be disposed of at this stage itself.

5-Considering the limited grievance of the learned counsel for the applicant, learned trial court is directed to make an endeavour to decide the aforesaid case, as expeditiously as possible, preferably within a period of six months from the date a certified copy of this order is produced before it, if there is no legal impediment.

6-With the aforesaid directions, this application is disposed of.

Order Date :- 7.12.2023

RKM