

Court No. - 90

Case :- APPLICATION U/S 482 No. - 39970 of 2023

Applicant :- Adarsh Kumar

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

Counsel for Applicant :- Raj Narayan Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant and the learned A.G.A.

2. The applicant has invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C. beseeching the expeditious disposal of Case No.3997 of 2018 (State vs. Adarsh Kumar & Others) arising out of Case Crime No.162 of 2013 under Sections 504, 506, 352 I.P.C., Police Station Raja Ka Rampur, District Etah pending before the Additional Civil Judge (J.D.), Etah.

3. It is submitted that with respect to the incident dated 05.07.2013, an F.I.R. has been lodged on 30.07.2013. After framing of charges normal dates are being fixed for evidence of prosecution witnesses, however, till date no prosecution witnesses has entered into witness box, though the accused (applicant) is throughout appearing and participating in the trial. It is further submitted that pendency of the trial causing harassment and oppression to the present applicant, therefore, direction may be issued to the court concerned for expeditious disposal of the trial.

4. Learned A.G.A. has no objection, if a direction is issued to the court concerned to decide the aforesaid case at the earliest.

5. In this conspectus, as above, no useful purpose would be served to keep this matter pending. Therefore, this court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case, as mentioned in the application, with a direction to the learned Additional Civil Judge (J.D.) Etah, to decide the aforesaid Case No.3997 of 2018 (State vs. Adarsh Kumar &

Others) strictly in accordance with law by means of a reasoned and speaking order, expeditiously, preferably, within a period of 12 months from the date of production of certified copy of this order. Learned court concerned is expected to take stringent steps, as provided under the law, to ensure presence of the prosecution witnesses so that aforesaid matter could be decided within the stipulated period, as directed above.

6. With the aforesaid direction, this petition is finally disposed off.

Order Date :- 28.11.2023

VR