

Court No. - 89

Case :- APPLICATION U/S 482 No. - 40767 of 2023

Applicant :- Divena Rijwani

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

Counsel for Applicant :- Katyayini, Krishnarjun

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard Ms. Katyayini, learned counsel for the applicant and learned A.G.A for the State as also 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 Misc. Case No. 138 of 2020, under Section 125 Cr.P.C., Police Station- Sector-104 NOIDA, District- Gautam Budh Nagar, pending before the Addl. Principal Judge, Family Court, Gautam Budh Nagar.
3. Learned counsel for the applicant submitted that applicant initiated proceedings U/s 125 Cr.P.C. against opposite party No.2, who is her husband, in the year 2020 and the same is pending before Addl. Principal Judge, Family Court, Gautam Budh Nagar. There is provision under the Code that from the date of filing interim application, the same shall be decided within a period of 60 days, but till today the interim application has not been decided.
4. Considering the fact that the trial has remained pending since 2020. 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 :- 14.12.2023

Nitin Verma