

Court No. - 90

Case :- APPLICATION U/S 482 No. - 40128 of 2023

Applicant :- Usman Beg And Another

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

Counsel for Applicant :- Rajiv Kumar Pandey, Bipin Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State-respondent.
2. Applicant has invoked the inherent jurisdiction of this Court beseeching the expeditious disposal of the Case No. 7561 of 2014 (State Vs. Sadab Hasan and others) arising out of Case Crime No. 614 of 2014, under Sections 457, 380 and 511 I.P.C., P.S. Civil Lines, District Aligarh, pending in the Court of Chief Judicial Magistrate/Aligarh.
3. It is submitted that with respect to the incident dated 27/28.5.2014, an F.I.R. being Case Crime No. 614 of 2014 dated 28.5.2014 has been lodged under Section 457, 380 and 511 I.P.C. After summoning the accused, charges were framed in the year 2018 and since then matter is throughout pending consideration for want of prosecution evidence. It is submitted that due to non-co-operating attitude of the prosecution, case is not being decided.
4. Learned A.G.A. has submitted that the present accused themselves are reluctant in co-operating with the court proceedings and throughout moving an adjournment applications.
5. In this conspectus as above, no useful purpose would be served to keep the instant application pending, therefore, this Court deems it appropriate to finally dispose of the present application, without entering into the merits of the case, with a direction to the court concerned before whom trial is pending consideration to decide the same expeditiously, preferably as early as possible, in accordance with law, after giving opportunity of hearing to the parties concerned. Learned trial court shall make all endeavour to take appropriate action to ensure the presence of the prosecution so that case could be decided at the earliest.
6. With the aforesaid direction, the application is **disposed of**.

Order Date :- 1.11.2023

CS/-