

Court No. - 85

Case :- APPLICATION U/S 483 No. - 1338 of 2023

Applicant :- Rajkishor Soni

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

Counsel for Applicant :- Ashwani Kumar Mishra, Priti Choudhary, Sandeep Kumar Keshari

Counsel for Opposite Party :- G.A.

Hon'ble Mayank Kumar Jain, J.

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

This application under Section 483 Cr.P.C. has been filed by the applicant seeking direction to the court below to decide the Case No. 13 of 2019 (Rajkishor Soni Vs. Samarjeet) filed under section 138 NI Act, pending before the ACJM-I, Banda within stipulated period.

The order sheet goes to show that summoning order was passed on 01.03.2019, thereafter on 18.04.2023 the opportunity to cross examine the PW-1 was closed, thereafter opposite party remain absent and process are being issued. The order sheet also reveals that on 23.06.2023 NBW was issued against the opposite party no. 2, thereafter the case being fixed for further order while it appears that learned trial court has not taken any steps to record the evidence of the applicant.

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, expeditiously preferably within a period of six months from the date of production of a certified copy of this order, without granting any unnecessary or long adjournments to either of the parties, if there is no other legal impediment.

Order Date :- 3.11.2023

Arti