

Court No. - 86

Case :- APPLICATION U/S 482 No. - 40482 of 2023

Applicant :- Smt. Rakhi

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

Counsel for Applicant :- Qazi Vakil Ahmad

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.

2.This application under Section 482 Cr.P.C. has been filed by the applicant with the prayer to direct the court of Principal Judge, Family Court, Baghpat to expedite and conclude the proceedings of Misc. Case (Execution) No. 222 of 2022 (Rakhi Vs. Ajay) arising out of proceeding under section 128 Cr.P.C., P.S. Baraut, District Baghpat as early as possible.

3.Learned counsel for the applicant has submitted that the applicant is the wife of opposite party no. 2 and she has filed an application dated 25.11.2022 under Section 128 Cr.P.C. for enforcement of the order of maintenance, on the basis of which the instant case has been instituted, however, since then, the said case is pending disposal and the proceeding has been lingering-on, on one pretext or the other.

4.In view of the above, learned court below is expected to make all endeavours to decide the aforesaid case under Section 128 Cr.P.C. as expeditiously as possible, preferably within a period of three months from the date of filing of certified copy of this order, without granting any unnecessary adjournment to either parties, if there is no other legal impediment in deciding the aforesaid execution case.

5.With the aforesaid direction, this application under Section 482 Cr.P.C. is finally disposed of.

Order Date :- 30.11.2023

RPD