

Court No. - 92

Case :- APPLICATION U/S 482 No. - 41592 of 2023

Applicant :- Priti @ Srishti Jasawal

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Balram Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Shri Balram Mishra, learned counsel for the applicant and Shri Rajeev Kumar Singh, learned A.G.A. for the State.
2. The instant application under section 482 Cr.P.C. has been filed seeking a direction to the Civil Judge (J.D.) FTC-II/Judicial Magistrate Sant Kabir Nagar to decide the Case No. 806 of 2015 (State Vs. Umesh Jasawal and others) arising out of Case Crime No. 6 of 2014 under sections 498-A, 323, 504, 506 I.P.C. and 3/4 of D.P. Act police station Mahila Thana District Sant Kabir Nagar within a stipulated time which may be fixed by this Court.
3. Learned counsel for the applicant submits the criminal prosecution was lodged by the applicant herein in the year 2014 against the opposite parties no. 2 to 4, which is pending since 2015 in the court and despite the efforts made by the applicant the same has not been concluded and more than eight years have passed. Therefore he prays for a direction to the trial court for expeditious disposal of the aforesaid case within a time bound period.
4. Looking at the facts and circumstances of the case, learned A.G.A. has not objected to the prayer made by the learned counsel for the applicant.
5. In the facts and circumstances of the case and looking at the nature of prayer this court find that it will not be proper to issue notices to the opposite parties no. 2,3 and 4 at this stage, which will further delay the proceedings and no useful purpose would be served by keeping this application pending here.
6. Therefore, having regard to the facts and circumstances of the case and the fact that the criminal proceedings is pending before the trial court since more than 8 years and has not yet been concluded and from the record it appears that continuously adjournment after adjournment are being sought on behalf of the opposite parties by moving the application for exemption for

appearance before the trial court and the trial is not proceeding due to the dilatory tactics adopted by the opposite parties, therefore, in the interest of justice it is hereby directed that the Civil Judge (J.D.) FTC-II/Judicial Magistrate Sant Kabir Nagar shall expedite the hearing of the Case No. 806 of 2015 (State Vs. Umesh Jasawal and others) arising out of Case Crime No. 6 of 2014 under sections 498-A, 323, 504, 506 I.P.C. and 3/4 of D.P. Act police station Mahila Thana District Sant Kabir Nagar and shall decide the same in accordance with law expeditiously preferably within a period of six months from today after giving due opportunity of hearing to all the parties concerned.

7. With the aforesaid directions, the instant application is **disposed of**.

Order Date :- 29.11.2023

o.k.