

Court No. - 90

Case :- APPLICATION U/S 482 No. - 41534 of 2023

Applicant :- Smt. Hina Faheem

Opposite Party :- State Of U.P.And Another

Counsel for Applicant :- Siddharth Pandey,Suman Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

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

2. Applicant has invoked the inherent jurisdiction of this Court under Section 482 Cr.P.C., beseeching the expeditious disposal of Case No. 1791 of 2015 (State Vs. Hina Faheem and others) arising out of Case Crime No.600 of 2014, under Sections 323, 504, 344 I.P.C., Section 23/26 Juvenile Justice Act and Section 3/14 Child Labour (Prohibition & Regulation) Act, 1986, Police Station Surajpur, District Gautambudh Nagar, pending in the court of Additional Chief Judicial Magistrate Ist, Gautam Budh Nagar.

3. It is submitted that opposite party No.2 has lodged an FIR being, Case Crime No.600 of 2014 datd 07.08.2014 levelling allegation of child labour. On the charge sheet cognizance was taken and summons were issued vide order dated 16.06.2015. However, since then matter is pending protracted for want of prosecution witnessess. Sufficeint time has already been elapsed, however, proceeding is protracted due to non-cooperation of prosecution and his witnesses.

4. Learned AGA has no objection in issuing a direction to the learned court concerned to decide the application within a stipulated period as directed by this Court.

5. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case as mentioned in the present application, with a direction to the learned Additional Chief Judicial Magistrate Ist, Gautam Budh Nagar, before whom the aforementioned case is pending consideration, to decide the same expeditiously, preferably, within a period of 12 months from

the date of receipt of a certified copy of this order.

6. It is expected that learned trial court shall take all stringent steps as provided under the law to ensure the presence of all the witnesses so that the trial could be concluded within stipulated period as directed above.

7. With the aforesaid direction, present application is **disposed of**.

Order Date :- 12.12.2023

Md Faisal