

Court No. - 90

Case :- APPLICATION U/S 482 No. - 41566 of 2023

Applicant :- Brijesh Kumar

Opposite Party :- State Of U.P. And 6 Others

Counsel for Applicant :- Jai Raj

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 and perused the record.

2. The present applicant has invoked inherent jurisdiction of this Court under Section 482 Cr.P.C. for the following relief:-

" It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow this application under 482 Cr.P.C. and direct the court of Additional Civil Judge (J.D.), Court No.4, Agra to decide the Complaint Case No/3914 of 2016 (Brijesh Kumar Vs. Sunita Devi and others), under Sections 380. 504, 506 IPC, Police Station Etmaddaula, District Agra, pending before him, expeditiously if possible within a stipulated period of time which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case. And/or pass such other and further order or direction which this Hon'ble Court may deem fit and proper under the circumstances of the case."

3. After due deliberation at length, learned counsel for the applicant has prayed to issue a direction for expeditious disposal of the Application dated 29.1.2019 under Section 319 Cr.P.C., which is pending consideration since the date of its filing. It is submitted that the case is throughout being adjourned at the behest of the private respondents and no fruitful steps have been taken to decide the application under Section 319 Cr.P.C. at early.

4. Learned A.G.A. has no objection in case a direction is issued for early disposal of the aforesaid application.

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 with a direction to the learned court concerned, before whom the application under Section 319 Cr.P.C. is pending in Complaint Case No.3914 of 2016, to decide the said application, in

accordance with law, without granting any unnecessary or long adjournments, as expeditiously as possible, preferably within a period of one month from the date of production of a certified copy of this order.

6. However, it is expected that the learned trial court shall make an endeavour to decide the complaint as well expeditiously as early as possible.

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

Order Date :- 12.12.2023

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