

Court No. - 85

Case :- APPLICATION U/S 483 No. - 1392 of 2023

Applicant :- Krishna Gopal

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

Counsel for Applicant :- Shahabuddin

Counsel for Opposite Party :- G.A.,Bharat Singh

Hon'ble Mayank Kumar Jain,J.

1. Heard learned counsel for the parties and learned A.G.A. for the State.
2. Learned counsel for the applicant is permitted to correct the prayer wherein Section 156(3) Cr.P.C. is mentioned.
3. Learned counsel for the applicant submitted that respondent no. 2 has been summoned to face trial under Section 420 IPC on the basis of summoning order dated 03.08.2023. Against this order, the respondent no. 2 has preferred a Revision No. 293 of 2021 before the Learned District Judge, Moradabad which is pending consideration. Learned counsel for the applicant submitted that no order for stay of proceedings of the complaint is passed in the revision pending before the District Judge, Moradabad, therefore, the trial court is at liberty to proceed with the trial.
4. No useful purpose would be served in keeping the application pending, which is finally ***disposed of*** with a direction to learned A.C.J.M., District Moradabad to consider and decide the aforesaid case expeditiously, in accordance with law, from the date of presentation of certified copy of this order, provided there is no other legal impediment.

Order Date :- 2.12.2023

Vipasha