

Court No. - 89

Case :- APPLICATION U/S 482 No. - 42339 of 2023

Applicant :- Wasim Warsi

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

Counsel for Applicant :- Akhil Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. This application under Section 482 Cr.P.C. has been filed seeking direction to the court below for early decision of Complaint Case No.328 of 2019 (Wasim Warsi vs. Smt. Shashi Devi), under Section- 138 of Negotiable Instrument Act, Police Station- Tirwa, District- Kannauj, pending in the court of Additional Chief Judicial Magistrate, Kannauj.
3. Learned counsel for the applicant submitted that applicant is complainant and initiated proceeding against the opposite party no.2 under section 138 of Negotiable Instrument Act. Counsel for the applicant next submits that the proceeding is pending against the opposite party no.2 since 2019 i.e. more than four years have passed. He next submitted that the Act itself provides that under section 138 N.I. Act, the trial must be concluded within six months.
4. Considering the fact that the trial has remained pending since 2019. Without expressing any opinion on the merits of the case, this application is finally **disposed of** with a direction to the court below to decide the aforesaid case in accordance with law, as expeditiously as possible, without granting any unnecessary or long adjournments to either of the parties, preferably within a period of **five months** from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 20.11.2023

Saif