

Court No. - 85

Case :- APPLICATION U/S 483 No. - 1434 of 2023

Applicant :- Balbir Singh

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

Counsel for Applicant :- Ashutosh

Counsel for Opposite Party :- G.A.

Hon'ble Mayank Kumar Jain,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.

2. By means of the present application under Section 483 Cr.P.C., the applicant has sought for a suitable direction to the learned court below to consider and decide Complaint Case No. 4077 of 2021 (Balbir Singh vs. Bandana Singh) under Section 138 of N.I. Act, Police Station- Ahirauli Bazar, District- Kushinagar, within time stipulated by this Court.

3. It was submitted by learned counsel for the applicant that applicant has filed a complaint under Section 138 of N.I. Act on 28.09.2021, but the same has not been decided so far due to which, applicant is suffering irreparable loss. Learned counsel further submits that a direction may be issued to the concerned Court to decide the same within specific time.

4. No useful purpose would be served in keeping the application pending, which is finally ***disposed of*** with a direction to court below to conclude the trial of aforesaid complaint case expeditiously, in accordance with the provisions contained in Section- 143 (2) and (3) of N.I. Act, preferably within a period of ***six months*** from the date of presentation of certified copy of this order, subject to full co-operation by the applicant, if there is no other legal impediment.

Order Date :- 2.12.2023

Vipasha