

Court No. - 92

Case :- APPLICATION U/S 482 No. - 42854 of 2023

Applicant :- Faheem Khan

Opposite Party :- State of U.P.

Counsel for Applicant :- Neeraj Srivastava, Sudhir Kumar Rai

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta, J.

1. Heard Sri Neeraj Srivastava, learned counsel for the applicant and Sri Kamlesh Kumar Tripathi, learned AGA appearing for the State.

2. The instant application under Section 482 Cr.P.C. has been filed seeking a direction for expeditious disposal of Sessions Trial No.262 of 2019, arising out of Case Crime No.735 of 2019, under Sections 302, 201 IPC, Police Station Ganj, District Rampur, pending in the Court of learned Additional Sessions Judge, Fast Track Court, Court No.1, Rampur, in a time bound manner.

3. Learned counsel for the applicant submits that the applicant herein is the brother of deceased. In the instant case trial has proceeded and deposition of various witnesses has been recorded by the trial court and thereafter, the accused persons are deliberately delaying the trial of the case on one pretext or another and right to cross examine the witnesses has already been closed and against one of the accused persons non-bailable warrant was issued more than a year ago but the same has not yet been executed and the accused persons are deliberately delaying the trial. Therefore, learned counsel for the applicant prays for a direction of expeditious disposal of the aforesaid sessions trial pending before the learned Additional Sessions Judge, Fast Track Court, Court No.1, Rampur.

4. In view of the aforesaid submissions made by learned counsel for the applicant, learned AGA appearing for the State has no objection to any direction being passed by the Court for expeditious disposal of the said case.

5. In view thereof, the instant application is being disposed of without issuing notice to the opposite parties/accused persons that will further delay the trial of the case.

6. Having heard the rival submissions made by learned counsel

for the parties, this Court has carefully perused the record of the case and from perusal of record this Court finds it a fit case as narrated above that a direction for expeditious disposal be issued. In view thereof, learned Additional Sessions Judge, Fast Track Court, Court No.1, Rampur is directed to make an endeavour to dispose of the aforesaid Sessions Trial No.262 of 2019, arising out of Case Crime No.735 of 2019, under Sections 302, 201 IPC, Police Station Ganj, District Rampur, as expeditiously as possible, preferably within a period of one year from the date of production of certified copy of this order.

7. With the aforesaid observations, the instant application under Section 482 Cr.P.C. is **disposed of**.

Order Date :- 1.12.2023

Atul