Court No. - 93

Case :- APPLICATION U/S 482 No. - 43934 of 2023

Applicant :- Bashir Ahmad
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Sanjay Tiwari
Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicant has approached this Court through this application under Section 482 Code of Criminal Procedure for issuance of directions to the trial court/Civil Judge (J.D.) Court no. 8, Gorakhpur to expedite the trial proceedings of Complaint Case No. 517 of 2022, titled Bashir Ahmad vs. Mohammad Yakub Khan in specific time frame.

Learned counsel for the applicant submits that the complaint pertains to summary trial but the same is not making any headway, therefore, the proceedings be directed to be expedited.

A perusal of the *zimni* orders reveals that the Court is adjourning the case for a short dates and the accused is yet to appear.

Recently, the Hon'ble Apex Court has observed in the case of ***Shaikh Uzma Feroz Hussain vs. The Stae of Maharashtra,*** vide order dated 10.11.2023 passed in ***Writ Petition(s) (Criminal) No. 587 of 2023,*** that the constitutional court should be slow in fixing a specific time frame for conclusion of proceedings pending before the court of original jurisdiction.

Since it is not a case where the trial has commenced, therefore, at this stage the Court is not inclined to exercise the inherent powers under Section 482 Cr.P.C. for lack of an exceptional ground.

The application is **dismissed.**

Order Date :- 1.12.2023
Faridul

Digitally signed by :-
FAREEDUL HASAN
High Court of Judicature at Allahabad