

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43930 of 2023

Applicant :- Smt. Nishi Tyagi

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

Counsel for Applicant :- Ranjeet Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

The applicant-complainant has approached this Court under Section 482 Code of Criminal Procedure for issuance of direction to the trial court to expedite the proceedings in Complaint Case No. 9566 of 2016, titled Nishi vs. Kunwar Pal filed under Section 138 Negotiable Instruments Act, 1881 expeditiously, within a stipulated time.

Learned counsel for the applicant submits that the complaint was instituted in the year 2014 and the same is pending for a long time, though the procedure for such trial is summary in nature. He further submits that even a direction was issued by this Court on 26.8.2019 in previous case filed by the applicant-complainant bearing no. 32443 of 2011 but the trial has not yet been concluded. He has further drawn the attention of the Court to the *zimni* order dated 20.7.2023 to contend that on the said date, the accused had paid a sum of Rs. 99,000/- to the complainant with an undertaking that the remaining amount would be paid by the next date of hearing, i.e. 8.8.2022. He further submits that in this given background and undertaking of the accused, the trial court be directed to adjudicate the complaint expeditiously.

Considering the above background, the nature of trial and its long pendency, this Court deems it appropriate to issue a direction to the trial court to expeditiously conclude the proceedings preferably within a period of next four months.

The application is disposed of.

Order Date :- 1.12.2023/Faridul.