Court No. - 86

Case :- APPLICATION U/S 482 No. - 44146 of 2023

Applicant :- Amir Jahan
Opposite Party :- State of U.P. and Another
Counsel for Applicant :- Abhay Nath Srivastava,Atul Kumar,Raghvendra Yadav
Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

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

2. The applicant has invoked the jurisdiction of this Court under section 482 Cr.P.C. with a prayer to direct Additional Principal Judge, Family Court-III, Bareilly to decide Criminal Execution Case No. 210 of 2023, Amir Jahan Vs. Khwajamoinuddin, under section 128 Cr.P.C., arising out of criminal Misc. Case No. 592 of 2009, Amir Jahan Vs. Khwajamoinuddin, under section 125 Cr.P.C. District Bareilly, within the stipulated period..

3. Learned counsel for the applicant has submitted that the applicant is wife of O.P. No. 2 and she has filed an application under section 128 Cr.P.C. for enforcement of order of maintenance on the basis of which the instant case has been instituted. However, the said case is still pending disposal and has been lingering-on, on one pretext or the other.

4. In view of above, court below is expected to make all endeavour to decide the aforesaid case expeditiously preferably within a period of four months after giving opportunity of hearing to both the sides and without giving unnecessary adjournments to either side and there is no other legal impediment in deciding the aforesaid case.

5. With these observations, the application filed u/s 482 Cr.P.C. stands disposed of.

Order Date :- 2.12.2023
R

Digitally signed by :-
RAM ASARE MORYA
High Court of Judicature at Allahabad