

Court No. - 85

Case :- APPLICATION U/S 483 No. - 1508 of 2023

Applicant :- Saurabh Prabhat Mishra

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

Counsel for Applicant :- Santosh Kumar Pandey, Diksha Singh

Counsel for Opposite Party :- G.A.

Hon'ble Mayank Kumar Jain, J.

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

By means of the present application under Section 483 Cr.P.C., the applicant has sought for a suitable direction to the Judicial Magistrate, Hawali, Farrukhabad to consider and decide Complaint Case No. 157 of 2023 (Saurabh Prabhat Mishra Vs. Shani Kushwaha) under Section 138 of N.I. Act, Police Station- Kotwali Farrukhabad, District- Farrukhabad, within time stipulated by this Court.

It was submitted by learned counsel for the applicant that applicant has filed a complaint under Section 138 of N.I. Act on 27.4.2022, 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.

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

Order Date :- 8.12.2023

A.P. Pandey