

Court No. - 93

Case :- APPLICATION U/S 482 No. - 45085 of 2023

Applicant :- Neha Chaudhary

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Pankaj Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicant has filed this application under Section 482 Code of Criminal Procedure for issuance of directions to the Additional Sessions Judge/F.T.C.-I, Mathura to decide the trial proceedings of Sessions Trial No.139 of 2021, titled State Vs. Rohit & Monu and another arising out of Case Crime No.333 of 2019, under Sections 307, 376 I.P.C., Police Station Refinery, District Mathura in a stipulated period.

Sri Pankaj Sharma, learned counsel for the applicant prays for an adjournment.

Considering the nature of prayer made in this application, this Court is not inclined to adjourn the case, therefore, the prayer is rejected.

Further, a perusal of the *zimni* orders passed by the trial court would show that this Court had already passed an order expediting the subject trial proceedings and the same is noticed by the trial court in order dated 15th June, 2020.

A perusal of the averements contained in the affidavit filed in support of the application, this Court finds that while rejecting the bail application of accused- opposite party no.2 on 7th October, 2020, this Court passed a direction to the trial court to decide the trial within a period of one year. Since the direction is already in place and it appears that because of pandemic Covid-19, the trial proceedings got delayed. At this stage, learned State Counsel submits that there are eight prosecution witnesses and out of those six have been examined.

Thus, facts and circumstances reveal that the trial is at the advanced stage, therefore, no case is made out for exercise of inherent powers under Section 482 Code of Criminal Procedure.

This application is dismissed.

Order Date :- 12.12.2023

Raj