

Court No. - 83

Case :- APPLICATION U/S 483 No. - 1500 of 2023

Applicant :- Pintu Kumar Rai

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Sudhir Kumar Shukla, Krishna Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Surendra Singh-I,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material available on record.

2. The applicant has filed this application under Section 483 Cr.P.C. seeking a direction to Special Court (E.C Act), Ballia, to decide the Sessions Trial No. 396 of 2021 (State Vs. Angad Yadav) in Case Crime No. 1108 of 2011 u/s 302, 34 I.P.C., P.S.- Narahi, District- Ballia, expeditiously.

3. It has been submitted by learned counsel for the applicant that the informant has lodged the first information report on 31.12.2011 relating to murder of his two relatives by Angad Yadav and three other accused. After investigation by various agencies and ultimately by C.B.C.I.D., a charge-sheet was filed against the accused, Angad Yadav, Jamwant Yadav, Bhivishan Yadav and Munni Lal u/s 302/34 I.P.C. The case was committed to the court of Sessions on 30.01.2021. The case was received by the court of Sessions after committal on 30.01.2021. Much time was spent for the appearance of the accused. The accused, namely, Munni Lal, died during trial and the case was abated against him. On 10.01.2023, charge was framed against accused, Angad Yadav, Jamwant Yadav and Bhivishan Yadav u/s 302/34 I.P.C. It has also been submitted that four prosecution witnesses have been examined and during trial, one of the witnesses, namely, Pradeep Rai, got murdered by the accused. The remaining witnesses and the informant have been threatened by the accused for which he had submitted application to Superintendent of Police, Ballia for protection.

4. Considering the facts and circumstances of the case, it is desirable that the trial of the case be expedited and the evidence of the witnesses be recorded after giving short dates and without granting any unnecessary adjournments to either of the parties. The case be disposed of within one year unless there is any legal impediment.

5. In view of the aforesaid directions, the application is accordingly disposed of.

Order Date :- 7.12.2023

KS