

Court No. - 93

Case :- APPLICATION U/S 482 No. - 45080 of 2023

Applicant :- Motive Micro Benefit Foundation
Through Present Branch Manager Vijay Singh

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

Counsel for Applicant :- Jitendra Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicant- complainant has filed this application under Section 482 Code of Criminal Procedure seeking direction to the Judicial Magistrate, Pilibhit to expedite the trial proceedings in case no.381 of 2022, titled Motive Micro Benefit Foundation versus Smt. Mamta Saxena, under Section 138 Negotiable Instruments Act, 1881.

Learned counsel submits that the subject complaint was instituted in the year, 2021, wherein the process was issued against the accused on 3rd November, 2022 and the nature of the trial is summary, therefore, it would be in the interest of justice, if the trial proceedings are expedited to be decided within the specific time frame.

Upon hearing the learned counsel and considering his submissions as well as the zimini orders passed by the trial court, this Court finds

that on 20th June, 2023 accused Mamta was granted the concession of regular bail and on subsequent three dates that is on 1st July, 2023, 31st August, 2023 and 25th September, 2023, the complainant was absent. Therefore, it is not a case where the delay in trial can be solely attributed to the accused.

Resultantly, no case is made out for exercise of inherent powers under Section 482 Cr.P.C. This application is dismissed.

Order Date :- 12.12.2023

Raj