

Court No. - 92

Case :- APPLICATION U/S 482 No. - 44964 of 2023

Applicant :- Shahbuddin @ Pappu

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

Counsel for Applicant :- Surendra Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Surendra Kumar Tripathi, learned counsel for the applicant and Sri Sandeep Choudhary, learned A.G.A. for the State.

2. The instant application under Section 482 Cr.P.C. has been filed seeking direction for expeditious disposal of Case No. 1342 of 2011 (State of U.P. vs. Shyam Dixit and Ors.), arising out of Case Crime No. 531 of 2010 u/S 147, 336, 341, 504, 506 I.P.C. & 7 Criminal Law Amendment Act, P.S.- Etmadpur, District- Agra, pending in the court of learned Additional Chief Judicial Magistrate-IV, Agra.

3. Learned counsel for the applicant submits that he is the accused in the instant case and he is suffering due to the pendency of the trial since twelve years. Learned counsel for the applicant submits that due to non-cooperation of the other accused persons, the trial is not proceeding in the matter. However, the applicant herein is continuously cooperating with the trial, despite he being working outside the State.

4. Looking at the facts and circumstances that the trial in the instant case is pending since, 2011 and is not progressing due to non-cooperation of the other accused persons, learned A.G.A. for the State do not oppose the prayer made by learned counsel for the applicant.

5. In view thereof, the instant case is ***disposed of*** with a direction to the concerned Additional Judicial Magistrate-IV, Agra, to decide the Case No. 1342 of 2011 (State of U.P. vs. Shyam Dixit and Ors.), arising out of Case Crime No. 531 of 2010 u/S 147, 336, 341, 504, 506 I.P.C. & Section 7 Criminal Law Amendment Act, P.S.- Etmadpur, District- Agra, expeditiously, preferably within a period of one year, without granting any unnecessary adjournment for exempting the presence of the accused persons in a routine manner unless specific reasonable cause is shown for such non appearance of

the accused persons and it is further directed that learned Additional Chief Judicial Magistrate-IV, Agra, shall make its endeavour to dispose of the instant case within a period of one year from the date of production of certified copy of this order.

Order Date :- 15.12.2023

Shubham Arya