

Court No. - 92

Case :- APPLICATION U/S 482 No. - 44951 of 2023

Applicant :- Suhail Ahmad

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

Counsel for Applicant :- Vijaya Srivastav, Vikas Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta, J.

1. Heard Ms. Vijaya Srivastav, learned counsel for the applicant and Sri Uday Bhan, 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 Complaint Case No. 3416 of 2016 (Suhail Ahmad vs. Irphan Ahmad), u/S 138 N.I. Act, P.S.- Nizamabad, District- Azamgarh, pending in the court of Judicial Magistrate, Court No.15, Azamgarh.

3. Learned counsel for the applicant submits that the instant case u/S 138 N.I. Act, was filed by the applicant herein, in the year, 2016 and the same is still pending, whereas according to Section 143 N.I. Act, the proceedings u/S 138 N.I. Act, are expected to be concluded expeditiously, preferably within a period of six months. However, the instant proceedings are pending since more than seven years due to non-cooperation of the opposite party no.2. In view thereof, learned counsel for the applicant seeks for a direction for expeditious disposal of the instant proceedings pending before the learned Judicial Magistrate, Court No. 15, Azamgarh.

4. Having regard to the aforesaid facts and circumstances of the case, learned A.G.A., do not object to the directions for expeditious disposal of the said case to be passed by this Court.

5. In view thereof, the instant application is ***disposed of*** with a direction to the Judicial Magistrate, Court No. 15, Azamgarh, to decide the Complaint Case No. 3416 of 2016 (Suhail Ahmad vs. Irphan Ahmad), u/S 138 N.I. Act, expeditiously, preferably within a period of six months from the date of production of certified copy of this order.

Order Date :- 15.12.2023

Shubham Arya