

Court No. - 28

Case :- APPLICATION U/S 483 No. - 642 of 2023

Applicant :- Bhanu Pratap Singh

Opposite Party :- Additional Court No. 2 (N.I. Act) Lko. And Another

Counsel for Applicant :- Prashant Shukla, Devendra Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh, J.

The learned counsel for the applicant at the very outset submits that he has wrongly impleaded Additional Court No. 2, NI Act, Lucknow on place of State of U.P. as opposite party no. 1. He submits that he may be permitted to delete the same and implead the State of U.P. as opposite party no. 1, during the course of the day.

The counsel appearing for the State has no objection to the contention aforesaid.

In view of the aforesaid, the learned counsel for the applicant is permitted to delete opposite party no. 1 from array of opposite parties and he may implead State of U.P. as opposite party no. 1.

Heard learned counsel for the applicant, Sri Nirmal Kumar Pandey, learned A.G.A. for the State and perused the material on record.

Instant application has been filed with the prayer for expeditious disposal of Criminal Case No. 20836 of 2023 filed under Section 138 of NI Act, pending in the Court of Additional Court No. 2, NI Act, Lucknow.

Learned counsel for the applicant submits that Criminal Case No. 20836 of 2023 under Section 138 of N.I. Act was filed in the Court of Additional Court No. 2 N.I. Act, Lucknow and that is pending consideration. He added that there is a specific provision under Section 143 (3) of the Negotiable Instruments Act, 1881 that after filing of the complaint under this Act, the trial court has to make all endeavour to conclude the proceedings as expeditiously as possible, preferably within a period of six months from the date of filing of the complaint. Thus, he submits that the trial court may be directed to conclude the proceedings of the aforementioned complaint case within

stipulated period of time as may be fixed by this Court.

Learned A.G.A. for the State and learned counsel for the opposite party no.2, have no objection to the submissions aforesaid.

In view of the aforesaid submissions and innocuous prayer made in the application, the trial court is hereby directed to conclude the trial of aforementioned Criminal Case with expedition, preferably within a period of six months from the date of the production of certified copy of this order, in accordance with law.

With the aforesaid observations, instant application stands **disposed of** accordingly.

Order Date :- 10.10.2023

Anurag