

Court No. - 28

Case :- APPLICATION U/S 483 No. - 650 of 2023

Applicant :- Sukhdev Singh

Opposite Party :- State Of U.P. Thru. Addl. Chief Secy. Home Lko. And 7 Others

Counsel for Applicant :- Mohd. Shahid Akhtar

Counsel for Opposite Party :- G.A.

Hon'ble Shree Prakash Singh,J.

1. Heard Mohd. Shahid Akhtar, learned counsel for the applicant, Sri Nirmal Kumar Pandey, learned AGA for the State and perused the record.

2. The instant application has been filed that this Hon'ble Court may kindly be pleased to direct the Chief Judicial Magistrate, Lakhimpur Kheri to decide the Criminal Case No. 4119 of 2012; State Vs. Hari Shankar and others arising out of First Information Report No. 146 of 2011, Under Section- 147, 148, 149, 323, 504, 506, 420, 427 I.P.C., Police Station Paliya, District Lakhimpur Kheri, pending in the court of learned Chief Judicial Magistrate, Lakhimpur Kheri, since 2012 expeditiously either in the next date of listing or as early as possible, in the interest of Justice.

3. Learned counsel for the applicant submits that first information report was lodged in the year 2011 and the matter is pending before the trial court since 2012. He added that the accused persons are not appearing before the trial court and after obtaining the bail, they went abroad and were not turning up to cooperate with the trial proceedings. He further added that even after passing of eleven years, the proceedings has not been concluded yet. He submits that the interest of justice would be subserved if this Hon'ble Court is pleased enough to direct the Court below to conclude the trial proceedings in Criminal Case

No. 4119 of 2012 within a stipulated period of time as may be fixed by this Court.

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

5. Considering the submissions of the learned counsel for the parties, the Trial Court is hereby directed to conclude the trial proceeding of Criminal Case No. 4119 of 2012 arising out of Criminal Case No. 146 of 2011, Under Sections- 147, 148, 149, 323, 504, 506, 420, 427 I.P.C., Police Station Paliya, District Lakhimpur Kheri expeditiously, if there is no legal impediment, while considering the guidelines and circulars issued in this regard.

6. The application is **disposed off** accordingly.

Order Date :- 12.10.2023

Mayank