

Court No. - 13

Case :- MATTERS UNDER ARTICLE 227 No. - 5599 of 2023

Petitioner :- Vinay @ Vinay Yadav

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 2 Others

Counsel for Petitioner :- Rajat Pratap Singh

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the petitioner and learned A.G.A. for the respondent State as well as perused the record.

Notice to respondent nos. 2 to 3 are dispensed with in view of the proposed order.

Through this petition the petitioner has prayed for the following relief:-

"i. issue a direction to the opposite party No.2 i.e. Special Judge SC/ST Act Hardoi to decide early disposal of Special trial No.915/2016, in Case Crime No.732/2008, Under Section-323/504 IPC & 3 (1) (X) SC/ST Act at Police Station-Sursa, District-Hardoi "State Versus Vinay and others" in terms of Section 309 Cr. P.C pending in his Court in the interest of Justice."

Learned counsel for the petitioner submits that Case Crime No.732/2008, Under Section-323/504 IPC & 3 (1) (X) SC/ST Act at Police Station-Sursa, District-Hardoi State Versus Vinay and others, was instituted against the petitioner and his brother,

who is co-accused in the matter. Chargesheet No.28 of 2008 dated 12.01.2009 has been filed and cognizance has been taken by the court concerned on 5.2.2009.

He further submits that the Special Trial No.915/2016, in Case Crime No.732/2008, Under Section-323/504 IPC & 3 (1) (X) SC/ST Act at Police Station-Sursa, District-Hardoi "State Versus Vinay and others is pending adjudication before Special Judge SC/ST Act Hardoi and due to none appearance of the complainant of the case the trial is pending. To support his contention, attention of the Court has been invited towards the order-sheet of the learned trial court.

Learned A.G.A. for the respondent State has no objection.

On due consideration to the submissions advanced by learned counsel for the petitioner as well as perusal of the order-sheet, the petition is **disposed of** with a direction to the learned court concerned to expedite the special trial expeditiously, preferably within a period of one year from the date of production of certified copy

of this order.

Order Date :- 1.11.2023

Madhu