

Court No. - 13

Case :- MATTERS UNDER ARTICLE 227 No. - 5697 of 2023

Petitioner :- Smt. Sandhya Pandey

Respondent :- State Of U.P Thru. Secy. Home Civil Sectr. Lko.
2 Others

Counsel for Petitioner :- Umesh Chandra Dixit, Sunil Dixit

Counsel for Respondent :- G.A.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioner and learned AGA for the respondent no. 1 and 2.

Notices to respondent no. 3 are dispensed with.

By this petition, the petitioner has prayed for the following relief:-

Issue an order or direction commanding opposite parties especially opposite party No. 3 i.e. Learned Additional Session Judge Court No. 16 Lucknow, District Lucknow to decide the Criminal Misc. Application No.. 13991/2022 dated 3.09.2022 filed by Sandhya Pandey (i.e. Petitioner) in Session Trial No. 1493/2022, (State Versus Mulayam Yadav & others), relating to Case Crime, No. 704/2020,. Under Section 302 IPC, Police Station Mohanlalganj, District Lucknow, pending before the opposite party no. 3 i.e. Learned Additional Session Judge Court No. 16 Lucknow, as early as possible within fixed time frame by this Hon'ble Court.

Learned counsel for the petitioner submits that in Session Trial No. 1493/202, the petitioner filed an application under Section 451 Cr.P.C. for release of pistol of the petitioner. The pistol is not a case property, hence, he prays that his application may be directed to be decided expeditiously on merits.

Learned AGA has opposed the contention and has submitted that there is no report filed by the petitioner to show that pistol is not a case property, however, could not dispute that the application under Section 451 Cr.P.C. is liable to be decided expeditiously.

In view of the above as well as considering the fact that the Criminal Misc. Application No. 13991/2022 dated 3.09.2022 filed by Sandhya Pandey (i.e. Petitioner) is pending since 03.09.2022, the petition is **disposed of** directing court concerned to expedite and decide the same within a further period of one month from the date of production of certified copy of this order.

Order Date :- 7.11.2023/R.C.