

Court No. - 12

Case :- APPLICATION U/S 483 No. - 711 of 2023

Applicant :- Majida Bano

Opposite Party :- State Of U.P Thru. Its Secy. Home, Civil Sectr. Lko.
And Others

Counsel for Applicant :- Satyendra Nath Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. and perused the record.
2. The present application has been filed by the applicant to direct learned C.J.M., Room No.16, Sultanpur to decide the Criminal Case No.6401 of 2022 in F.I.R. No.30 of 2021 under Sections 498A, 323 I.P.C. and Section 3/4 of D.P. Act, P.S. Mahila Thana, District- Ayodhya pending before him, expeditiously.
3. Learned counsel for the applicant submits that the charge sheet was filed on 26.06.2022, cognizance was taken on 16.07.2022, and thereafter, summons were issued but the accused persons are deliberately avoiding the trial and not appearing before the trial court, therefore, a direction may be issued to decide the aforesaid case, expeditiously.
4. Learned A.G.A. has opposed the prayer of applicant and submitted that the order sheet annexed with the application does not reveal that either summon or bailable warrant was served on the accused persons, therefore, at this stage, no direction can be issued to expedite the trial of the case in question.
5. Considering the submission of learned counsel for the parties, going through the contents of application as well as other relevant documents, charge sheet was filed on 26.06.2022, cognizance was taken on 16.07.2022, and thereafter, summons were issued but order sheet annexed with the application does not reveal that either summon or bailable warrant was served on the accused persons, therefore, I am of the view that no direction to expedite the trial proceedings is needed at this stage.
6. Accordingly, the present application stands **dismissed**.
7. Superintendent of Police, Sultanpur is directed to ensure the service of summon on the accused persons.

Order Date :- 9.11.2023/V. Sinha