

Court No. - 12

Case :- APPLICATION U/S 483 No. - 742 of 2023

Applicant :- Indrawati Chaudhary

Opposite Party :- State Of U.P. Thru. Prin. Secy. (Home) Lko. And
Another

Counsel for Applicant :- Swatantra Lata Yadav

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. for the State and perused the record.
2. The present application under Section 483 Cr.P.C. has been filed with the prayer to direct the learned court below to expedite and conclude the proceeding of Case No.108/2023, arising out of Case Crime No. 322/2023 under Section 501 I.P.C. and Section 3(2)(va) of S.C./S.T. Act, Police Station Jahangirganj, District Ambedkar Nagar.
3. Learned counsel for the applicant has submitted that charge sheet was prepared on 12.3.2023 and cognizance was taken by the court of Special Judge, SC/ST Act but the trial is not being proceeded, therefore, a direction is needed to the trial court for expedite disposal of the case.
4. Learned A.G.A. opposed the prayer of the applicant and submitted that as the order sheet has already been annexed but same is not revealing that summons are served on private respondent, therefore, no direction is needed at this stage.
5. Considering the arguments of learned counsel for the parties and going through the records, as the offence in question is related to the month of December, 2022 and charge sheet was prepared on 12.3.2023, and cognizance was taken on 17.7.2023, as the order sheet annexed with the application does not revealed that service of summon was executed on private respondent, therefore, no need of direction to the court below to expedite the trial of the case in question.

6. With the aforesaid direction, the present application under Section 483 Cr.P.C. petition is **dismissed**.

7. However, it is open to the applicant to move application before the court below for expedite disposal of the case. In case, any application is moved by applicant for expedite disposal, then same shall be decided expeditiously within a period of one month.

Order Date :- 9.11.2023

Gaurav/-