

Court No. - 11

Case :- APPLICATION U/S 483 No. - 807 of 2023

Applicant :- Khushhar And Another

Opposite Party :- State Of Up Thru. Prin. Secy. Home And Ors.

Counsel for Applicant :- Ashok Kumar, Sonam Pandey, Vijay Shankar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the applicant, learned Government Advocate for the State of U.P. and perused the record.

The instant application under Section 483 Cr.P.C. has been preferred for the following main relief:-

"Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to direct the learned Deputy Commissioner of Police Executive Magistrate, East Police Commiserate Lucknow to decide the Case No. 8/2023 (Ketki Maurya Versus Khushhar and other), under Section 145 Cr.P.C Police Station-PGI, District Lucknow, which is pending before him within stipulated time period."

For the purposes of relief sought, learned counsel for the applicants submitted that proceedings in issue were instituted on 14.03.2023 and in the same, several dates have been fixed, however, opposite party No.3-Smt. Ketki Maurya, who instituted the proceedings in issue, is not appearing before the opposite party No.2-Deputy Commissioner of Police/Executive Magistrate, East Police Commiserate, Lucknow, since 03.08.2023 and on the other hand, applicants are regularly appearing before the Court concerned and further, Civil Suit No. 1574 of 2023 is also pending consideration and on account of pendency of the proceedings, in which, only applicants are appearing since 03.08.2023, the applicants are suffering great hardship and mental agony.

Considering the aforesaid facts and circumstances of the case, present application is disposed of with direction to the opposite party No.2-Deputy Commissioner of Police/Executive Magistrate, East Police Commiserate, Lucknow to pass appropriate order after taking note of entire order sheet, expeditiously.

With the aforesaid, the instant application under Section 483 Cr.P.C. is ***disposed of***.

Order Date :- 11.12.2023/Vinay/-