

Court No. - 12

Case :- APPLICATION U/S 483 No. - 819 of 2023

Applicant :- Smt. Rajpati

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home
Civil Sectr. Lko. And 4 Others

Counsel for Applicant :- Arvind Yadav,Poonam Saroj

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 has been filed for giving direction to expedite the hearing of Criminal Case No.717/2022 (***State Versus Santara and others***") which is pending before the learned court of Civil Judge (Avar Khand)/J.M., Court no. 31, Sultanpur, expeditiously.
3. Learned counsel for the applicant submits that the trial of the case in question is pending since 2022 but till today, the evidence of only single witness has been completed. It is, thus, submitted that a direction may be issued to learned trial court to expedite the trial of the case in question.
4. Learned A.G.A. vehemently opposes the prayer of applicant and submits that trial is going on, examination-in-chief of P.W.-1 has already been completed and cross-examination is going on. He further submits that on 08.08.2023, the matter was listed for cross-examination but the counsels were abstaining from work on the said date, therefore, the case matter was adjourned. He also submits that no aforesaid directed, as prayed, can be issued and at this stage, the present application is liable to be dismissed.
5. Considering the submissions of learned counsel for the applicant, learned A.G.A. and going through the contents of application as well as other relevant documents; it is evident from the record that the trial is pending before the trial court since 2022 and examination-in-chief of P.W.-1 has already been completed. Therefore, at this stage, no direction can be issued to expedite the trial of the proceedings.
6. At this stage, after advancing some arguments, learned counsel for the applicant prays that he may be permitted to

withdraw the present application.

7. The application is, accordingly, **dismissed as withdrawn.**

Order Date :- 15.12.2023

Arpan