

Court No. - 12

Case :- APPLICATION U/S 483 No. - 820 of 2023

Applicant :- Shastri Yadav

Opposite Party :- State Of U.P. Thru. Its Prin. Secy. Deptt. Of Home,
Lko. And Another

Counsel for Applicant :- Vinod Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for applicant as well as learned A.G.A. for the State and perused the record.

2. The present application has been filed for issuing a suitable direction to the court of learned Civil Judge (Junior Division), Court No.30, Sultanpur to hear and decide the Criminal Case No. 6745 of 2020 "***Shastri Yadav Vs. Jaydev Gautam***" filed under section 138 of Negotiable Instrument Act, Police Station - Gosaiganj, District- Sultanpur expeditiously.

3. Learned counsel for the applicant submits that repeatedailable warrants have been issued against private respondent but he is not appearing before learned trial court. It is further submitted that as nonailable warrant is not being issued by learned trial court against private respondent, hence, a direction may be issued to learned trial court for expediting the proceedings.

4. Learned A.G.A. vehemently opposes the prayer of applicant and submits that in place of filing the present application U/s 483 Cr.P.C., an appropriate application has to be moved before learned trial court.

5. At this stage, learned counsel for the applicant requests that the present application may be disposed of with liberty to move appropriate application before learned trial court.

6. In view of above, the present application U/s 483 Cr.P.C. is **disposed of.**

7. It is open to applicant to move appropriate application before the trial court and in case, any such application is moved before it then the same shall be considered and decided by a reasoned and speaking order in accordance with law, expeditiously.

Order Date :- 15.12.2023

Arpan