

Court No. - 11

Case :- APPLICATION U/S 483 No. - 839 of 2023

Applicant :- Mohammad Izhar

Opposite Party :- State Of U.P. Thru. Secy. Ministry Of Home Affairs Lko. And 3 Others

Counsel for Applicant :- Shaiphali Nag, Priyanka Nag

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 expeditious disposal of Criminal Complaint No. 650531 of 2023, arising out of Case Crime No. 518 of 2022 under Sections 406, 420, 467, 468, 471, 504, 506 IPC. P.S.- Malihabad, Lucknow.

Considering the facts and circumstances of the case, indicated in the application particularly the period of pendency of the criminal complaint case in issue, this Court is not inclined to accede the prayer sought in the present application. However, it is expected that for expeditious disposal of the case, trial court shall do needful in the matter in the light of the observations made by the Hon'ble Apex Court in various pronouncements including in the case(s) of *Hussainara Khatoon vs. Home Secretary, State of Bihar; 1979 AIR 1369; Abdul Rehman Antulay & Others vs. R.S.Nayak & Another; (1992) 1 SCC 225*; according to which, the right to speedy trial is implicit under Article 21 of the Constitution of India and trial should be concluded expeditiously.

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

Order Date :- 21.12.2023

Vinay/-