

Court No. - 11

Case :- APPLICATION U/S 483 No. - 853 of 2023

Applicant :- Saurabh Kumar

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

Counsel for Applicant :- Vivek Kumar Rai, Ajai Kumar, Saurabh Tripathi

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:-

"i. Issue an appropriate order or direction commanding the Learned Court of Additional Court No. 1, Lucknow to decide the complaint under section 138 of Negotiable Instrument Act, 1881 bearing Complaint No. 27549 of 2023 titled as Saurabh Kumar versus Vishal Rai expeditiously within a time frame.

ii. Issue an appropriate order or direction commanding the Learned Court of Additional Court No. 1, Lucknow to take all endeavour to conclude the trial of Complaint No. 27549 of 2023 titled as Saurabh Kumar versus Vishal Rai as per the direction given by the Hon'ble Supreme Court in AIR 2014 SC 2528 Indian Bank Association & others versus Union of India & others."

Considering the facts and circumstances of the case as also that complaint case in issue is pending consideration since 2023 before the trial court and as per Section 143 of the Negotiable Instruments Act, 1881 (in short "Act of 1881"), case under Section 138 of the Act of 1881 shall be concluded expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint, the present application is disposed of with a direction to the Court concerned to decide the case in issue, expeditiously.

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

Order Date :- 22.12.2023

Vinay/-