

Court No. - 16

Case :- MATTERS UNDER ARTICLE 227 No. - 4268 of 2024

Petitioner :- Complainant Of Case Crime No. 269/2016

Respondent :- State Of U.P. Thru. Chief Secy. Home Lko And 5 Others

Counsel for Petitioner :- Sugreev Kumar Sharma

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed,J.

Heard Sri Sugreev Kumar Sharma, learned counsel for the petitioner as well as Sri Rajiv Kumar Verma, learned A.G.A.-I for the State and perused the record.

This petition under Article 227 of the Constitution of India has been filed with a prayer to issue an order or direction commanding the opposite party no.2 i.e. learned Special Judge, POCSO Act, Court No.3/Additional District and Sessions Judge, Lucknow to decide the S.T. No.905 of 2016, Case Crime No.269 of 2016, under Sections 363, 366, 376 I.P.C. and Section 3/4 of POCSO Act, Police Station Vibhuti Khand Gomti Nagar, District Lucknow.

Learned counsel for the petitioner submits that the matter is pending since 2016 and the accused is lingering on the matter on one and another ground, thus, a positive direction be given to the learned Special Judge, POCSO Act, Court No.3/Additional District and Sessions Judge, Lucknow to decide the aforesaid case within a stipulated period.

Learned A.G.A.-I has no objection on the prayer made by the learned counsel for the petitioner and submits that a positive direction be given to the learned Special Judge, POCSO Act, Court No.3/Additional District and Sessions Judge, Lucknow to decide the case of the petitioner, as merely keeping pending the same by the learned Special Judge, POCSO Act, Court No.3/Additional District and Sessions Judge, Lucknow does not suffice any purpose of the litigation.

In view of the statements made by the learned counsel for the parties, the learned Special Judge, POCSO Act, Court No.3/Additional District and Sessions Judge, Lucknow is directed to decide the aforesaid case expeditiously i.e. within six months, without granting any unnecessary adjournment to either of the parties from the date of filing of the certified copy

of this order, unless there is some legal impediment or unless there is any order passed by the higher court staying the proceedings of the case.

With the aforesaid observation, the petition is **disposed of** finally.

It is clarified that the observations, if any, made in this order are strictly confined to the disposal of this petition and must not be construed to have any reflection on the ultimate merits of the case.

Order Date :- 6.9.2024

Saurabh