

Court No. - 12

Case :- APPLICATION U/S 483 No. - 911 of 2024

Applicant :- Smt. A Complainant/Victim Of Case Crime No. 91/2024

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

Counsel for Applicant :- Mohd. Salman, Ana Fatma, Arshad Jameel, Mukhtar Ahamad

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 has been preferred for the following main relief:-

"1. ISSUE a Order/Direction in the nature of the Commanding whereby directing the Learned Additional Session Judge/Special Judge SC/ST Act Unnao decide and expedite the Session Case no. 1225/2024, arising Out Case Crime no. 0091/2024, U/s 376-D/354- Kha/323/504/452 I.P.C and U/s 3 (2) (v) & 3 (1) (α) SC/ST Act, Police Station Gangaghat, District Unnao, styled as State Vs..... Parsu Nishad and others, Contained as ANNEXURE No. 2., during the pendency of Application.

2. ISSUE a Order/Direction in the nature of the Commanding whereby directing the Learned Additional Session Judge/Special Judge SC/ST Act Unnao decide the Application dated 24.10.20224 and issue N.B.W against opposite party no. 3 to 6 in Session Case no. 1225/2024, Arising Out Case Crime no. 0091/2024, U/s 376-D/354-Kha/323/504/452 I.P.C and U/s 3 (2) (v) & 3 (1) (a) SC/ST Act, Police Station Gangaghat, District Unnao, styled as State Vs..... Parsu Nishad and others, Contained as ANNEXURE No. 3, during the pendency of Application."

Considering the facts and circumstances of the case indicated in the application including the period of pendency of the case in issue, the present application is disposed of with a direction to the Court concerned to make all endeavour for concluding the proceedings of the case in issue, expeditiously, as according to various pronouncements of the Hon'ble Apex Court including the judgment(s) passed in the case of ***Maneka Gandhi Versus Union of India and Another (1978) 1 SCC 248, Hussainara Khatoon Versus Home Secretary, State of Bihar (1980) 1 SCC 81, Kadra Pahadiya and Others Versus State of Bihar (1981) 3 SCC 671***, the right to speedy trial/disposal of the case is implicit under Article 21 of the Constitution of India.

With the aforesaid, the instant application is ***disposed of***.

Order Date :- 19.12.2024

ML/-