

Court No. - 14

Case :- APPLICATION U/S 483 No. - 930 of 2024

Applicant :- Smt. Gazala Parveen

Opposite Party :- State Of U.P. Thru. Secy. Home Lko. And 6 Others

Counsel for Applicant :- Mohd. Chand Khan

Counsel for Opposite Party :- G.A.

Hon'ble Ajai Kumar Srivastava-I,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State-opposite party No.1 and perused the entire record.
2. In view of the order which is proposed to be passed today, notice to opposite party Nos.2 to 7 is dispensed with.
3. The only innocuous prayer made in the present application filed under Section 483 Cr.P.C. is that the learned trial court/ Special Additional Chief Judicial Magistrate, CBI (AP), Lucknow be directed to decide the Complaint No.1083 of 2017 titled as Smt. Gazala Parveen vs. Mohd. Taukeer and others, under Section 12 of Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as "**Act, 2005**"), Police Station Thakurganj, District Lucknow expeditiously and preferably within a time bound manner.
4. Learned counsel for the applicant has submitted that the trial is not being completed because adjournments have been granted frequently. Therefore, he has prayed to issue a direction to dispose of the aforesaid case in a time bound manner.
5. Learned A.G.A., on the other hand, has opposed the aforesaid prayer and has placed reliance upon the judgment rendered by Hon'ble Apex Court in the case of **High Court Bar Association,**

Allahabad vs. State of U.P. and ors : 2024 1 UPLBEC 545.

6. Having heard the learned counsel for the applicant, learned A.G.A. for the State and upon perusal of the entire record, having regard to the fact that Section 12(5) of Act, 2005 itself contains a statutory provision for disposal of application with expedition and that too having regard to the object for which the Act, 2005 was enacted, it appears that no substantial progress has been made so far to conclude the aforesaid compliant case.

7. Therefore, to secure ends of justice, the present application is finally **disposed of** with the direction to the trial court concerned to dispose of the aforesaid case expeditiously keeping in view the provision contained in Section 12(5) of Act, 2005 without granting any unnecessary adjournment to the parties, in accordance with law, if there is no other legal impediment.

(Ajai Kumar Srivastava-I, J.)

Order Date :- 20.12.2024

Shubhankar