Court No. - 12

Case :- APPLICATION U/S 483 No. - 795 of 2024

Applicant :- Jyoti Nishad
Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko. And 4 Others
Counsel for Applicant :- Brihaspati Mani Pathak,Priyanka Dube
Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

1. Heard learned counsel for the applicant, learned Government Advocate for the State of U.P. and perused the record.

2. The present application under Section 482 Cr.P.C. read with Section 528 Bharatiya Nagrik Suraksha Sanhita, 2023 (in short "BNSS") has been filed for the following main relief(s):-

"For the facts, reasons and circumstances stated in the accompanying affidavit, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to direct the learned Civil Judge (Junior Division), F.T.C. (W), Faizabad to expedite/conclude the trial and decide the Case Grime No.362 of 2024 "State Versus Jayant Kumar" arising out of Case Crime No.91 of 2019 Under Sections 498A,323,504,506 I.P.C. and Section 3/4 Dowry Prohibition Act Police Station-Mahila, District-Faizabad pending in the Court of Civil Judge (Junior Division), F.T.C. (W), Faizabad within a period as fixed by this Hon'ble Court, in the interest of justice."

3. 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.

Order Date :- 23.11.2024
Anand/-

Digitally signed by :-
ANAND KUMAR SRIVASTAVA
High Court of Judicature at Allahabad,
Lucknow Bench