2026:AHC:226652

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 15490 of 2026

Alkama Bano

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Vivek Kumar Singh
Counsel for Respondent(s)	:	G.A.

Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. Heard learned counsel for the petitioner and learned A.G.A. For the State.

2. The present petition has been filed with the following prayer:-

"i) Issue, suitable order or direction directing the Judicial Magistrate-III, Allahabad to conclude and decide the Criminal Case No. 737 of 2024 (State Vs. Ali Haider and others), arising out of Case Crime No. 438 of 2023, Under Sections 498-A, 323, 504 I.P.C. and Section 3/4 D.P. Act, Police Station- Ghoorpur, District- Prayagraj, pending before the court of Learned Judicial Magistrate-III, Allahabad, expeditiously within stipulated period fix by this Hon'ble Court."

3. Learned counsel for the petitioner submits that the proceedings before the court concerned be directed to be concluded in a time bound manner. It is submitted by learned counsel for the petitioner that the petitioner is wife.

4. Learned AGA submits that the speedy trial is one of the essential requirement of judicial process and he submits that the present petition may be decided in terms of judgement dated 29.2.2024 passed by Supreme Court in **High Court Bar Association, Allahabad Vs State of U.P and others – 2023 INSC 150**.

5. The prayer in the present petition is for disposal of the above mentioned case in a time bound manner. The Supreme Court in a recent judgement dated 29/2/2024 being **High Court Bar Association, Allahabad Vs State of U.P and others (supra)** has held as under :-

"*Constitutional Courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts. Constitutional Courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the concerned Courts where the cases are pending; and*"

6. Learned counsel for the petitioner has not shown any exceptional circumstances to issue direction at this stage. Considering the nature of prayer made by counsel for the petitioner, the interest of justice would be served, in the event, petitioner applies before the court concerned for expeditious disposal of the above mentioned case.

7. In view of the aforesaid, the present petition is disposed of with liberty to the petitioner to prefer an application before the court concerned for disposal of the above mentioned case in a time bound manner. In the event any such application is filed by the petitioner before the court concerned, the court concerned shall consider the same and pass appropriate order in accordance with law. It goes without saying that the prosecution shall co-operate in the trial court proceeding and shall produce the prosecution witness without delay. The accused person shall also not be granted any unnecessary adjournment by the court concerned.

8. It is also provided that in the event there is any legal impediment before the court concerned in disposal of the case, then the court concerned shall pass an appropriate order disclosing the legal impediment as to why the proceedings of the above mentioned case cannot be proceeded with.

9. The present petition is accordingly disposed of with the aforesaid direction.

(Vikram D. Chauhan,J.)

November 2, 2026
D. Tamang

Digitally signed by :-
DHIRENDRA TAMANG
High Court of Judicature at Allahabad