

**Court No. - 74**

**Case :-** APPLICATION U/S 482 No. - 15457 of 2024

**Applicant :-** Anjani Kumar Yadav

**Opposite Party :-** State of U.P. and Another

**Counsel for Applicant :-** Satyendra Kumar Pandey

**Counsel for Opposite Party :-** G.A.

**Hon'ble Saurabh Shyam Shamsbery,J.**

Heard Sri Satyendra Kumar Pandey, learned counsel for applicant and Sri Roshan Kumar Singh, learned A.G.A. for State.

Applicant has approached this Court by way of filing present application to decide the case No.117 of 2017 under Section 156(3) (Anjani Kumar Yadav Vs. Gajendra Yadav), Police Station-Bairia, District- Ballia) pending in the Court of Civil Judge (Senior Division)/Fast Track Court, Ballia.

It is travesty of justice that applicant (complainant) who has filed an application under Section 156 (3) Cr.P.C. on 27.04.2017 i.e. about more than seven years ago, however, till date, no order has been passed either under Section 203 or 204 Cr.P.C., as the case may be.

Sri Satyendra Kumar Pandey, learned counsel for applicant has submitted that since institution of complaint and till date, case was listed on more than 50 dates. Statement of complainant under Section 200 Cr.P.C. was recorded on 18.10.2021 i.e. after more than four years of filing of complaint case.

The travesty of justice further becomes grievous, when despite statement of witness (P.W.-1) under Section 202 Cr.P.C. was recorded on 15.10.2022 and that statement of other witness (P.W.-2) was recorded on 09.01.2024 i.e. after more than one year, and still thereafter according to instructions, case was further listed for about four to five dates and despite counsel for applicant appeared and has not sought any adjournment, still, till date no order has been passed in pursuance of complaint as well as statements recorded under Sections 200 and 202 Cr.P.C.

In the aforesaid circumstances, to secure the ends of justice and to

curb culture of 'तारीख पे तारीख' inherent powers of this Court are invoked and this application is disposed of with a direction that on next date fixed, learned Magistrate will hear the arguments of counsel for applicant and within a week, thereafter, will pass an appropriate order i.e. either under Sections 203 or 204 Cr.P.C., as the case may be.

Counsel for applicant will not sought any adjournment on next date fixed.

Concerned District Judge will submit a compliance report which shall be placed on record of present case. The concerned District Judge will also submit a report as to why there was huge delay in present case.

Registrar (Compliance) to take steps.

**Order Date :- 13.9.2024**

P. Pandey