
(2022) 07 UK CK 0053

In the Uttarakhand High Court

Case No : Criminal Miscellaneous Application No. 975 Of 2022

Mohammad Shahban Ul Haq

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 11-07-2022

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Negotiable Instruments Act, 1881 — Section 138

Citation : (2022) 07 UK CK 0053

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Pranav Singh, T.C. Aggarwal, Rohit Dhyani, Parikshit Saini

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. This is an application under Section 482 of the Code of Criminal Procedure, 1973 to direct the Court of Judicial Magistrate/IIInd Additional Civil Judge (Junior Division), Roorkee, District Haridwar to decide the Complaint Case No. 1901 of 2021 (Old No. 341 of 2019), "Mohammad Shahba Nul Haq Vs. Prime Packers (India) & Another" filed under Section 138 of the Negotiable Instruments Act, 1881 within the stipulated period.

2. Heard Mr. Pranav Singh, the learned counsel for the applicant, Mr. T.C. Aggarwal, the learned Deputy Advocate General assisted by Mr. Rohit Dhyani, Brief Holder for the State/respondent no.1 and Mr. Parikshit Saini, Advocate for respondent nos.2 and 3.

3. This is an innocuous prayer.

4. In Indian Bank Association and Others vs. Union of India and Others, (2014) 5 SCC 590, the Hon'ble Supreme Court has directed all the Criminal Courts in the country dealing with the cases under Section 138 of the Negotiable Instruments

Act, 1881 for speedy and expeditiously disposal of the cases falling under Section 138 of the Negotiable Instruments Act, 1881.

5. Therefore, keeping in mind the directions of the Hon'ble Supreme Court, the concerned Magistrate, is hereby directed to expedite the proceedings of the said Complaint Case No. 1901 of 2021 (Old No. 341 of 2019), "Mohammad Shahba Nul Haq Vs. Prime Packers (India) & Another" under Section 138 of the Negotiable Instruments Act, 1881 and complete the trial most expeditiously without granting any unnecessary adjournment to the either party.

6. The Criminal Miscellaneous Application No.975 of 2022 is disposed of, accordingly.