2026:AHC:213022

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 529 BNSS No. - 4882 of 2026

Smt Kavita Devi

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Manoj Kumar Tiwari
Counsel for Opposite Party(s)	:	G.A.

Court No. - 82

HON'BLE JAI PRAKASH TIWARI, J.

Heard learned counsel for the applicant and learned A.G.A for the State as also perused the record.

This application under Section 529 BNSS has been filed seeking direction to the court concerned to decide the trial of Sessions Case No. 1785 of 2024 (State vs. Bhola Yadav @ Balram Yadav), arising out of Case Crime No. 476 of 2024, under Sections 137(2), 352, 351(2), 351(3), 65 BNS and Section 4(2) POCSO Act, Police Station Chauri Chaura, District Gorakhpur, pending before the court of learned Special Judge, POCSO-III, Gorakhpur, expeditiously within stipulated period.

Learned counsel for the applicant submits that cognizance upon the charge sheet has been taken on 21.11.2024. Thereafter, charges against the opposite party no. 2 has been framed by the court concerned on 06.12.2024. Till date, only three witnesses have been examined before the trial court, while the applicant is regularly appearing before the trial court. Learned counsel for the applicant, therefore, submits that, considering the considerable period for which the proceedings have remained pending, a suitable direction may be issued to the court concerned for expeditious disposal of the aforesaid case.

Looking to the aforesaid circumstances, it is directed that trial pending before the concerned court be concluded expeditiously, as early as possible, within one year, from the date of filing of certified copy of this order, in accordance with the first proviso of Section 309 of the CrPC

(Corresponding Section 346 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023), without granting any unnecessary or long adjournments to either of the parties, if there is no legal impediment.

The application is disposed of.

(Jai Prakash Tiwari,J.)

October 9, 2026
Brijesh

Digitally signed by :-
BRIJESH KUMAR
High Court of Judicature at Allahabad