2026:AHC:212665

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 529 BNSS No. - 4904 of 2026

M/S Bharat Traders (T)

.....Applicant(s)

Versus

State Of U.P. And 5 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Amit Saxena
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 Complaint Case No. 6132 of 2018 (M/s Bharat Traders(T) through its Proprietor Ankit Goenka vs. Dr. M.P. Agarwal and others), under Sections 406/420 IPC, pending before the court of Additional Civil Judge (J.D.)-8, Kanpur Nagar, expeditiously within stipulated period.

As per submission of learned counsel for the applicant, after summoning the accused persons vide order dated 28.1.2019, dates were fixed and summons were issued to them. On 27.1.2021, trial court issued bailable warrants against the accused persons. On 10.3.2021, the applicant moved an application for issuing Non-Bailable Warrants against the accused persons. On 12.4.2021, accused persons put in their appearance before the court concerned. However, when the accused persons again did not appear, then the trial court issued non-bailable warrants against them on 11.10.2021. Thereafter, accused persons released on bail. It is submitted that on 31.5.2024, accused opposite party nos. 2, 3, 4 and 6 had also filed their discharge application under Section 245 Cr.P.C. The trial remained pending for disposal of the aforesaid discharge application.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this application is finally **disposed**

of with a direction to the court concerned to decide the discharge application filed under Section 245 Cr.P.C. at the earliest and further conclude and decide the aforesaid complaint case in accordance with law, keeping in view the procedure, as expeditiously as possible, within a period of one year from the date of presentation of a certified copy of this order before the court, without granting any unnecessary or long adjournments to either of the parties, if there is no other legal impediment. However, it is expected that both the parties shall cooperate with the trial.

(Jai Prakash Tiwari,J.)

October 9, 2026
Brijesh

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