

Court No. - 14

Case :- U/S 482/378/407 No. - 4203 of 2021

Applicant :- Savita Yadav

Opposite Party :- State Of U.P. Thru. Secy. Home. Lko & Others

Counsel for Applicant :- Jai Ram Singh Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Rajesh Singh Chauhan,J.

Heard Sri Jai Ram Singh, learned counsel for the petitioner and the learned Additional Government Advocate for the State.

In view of the proposed order, the notices to opposite party Nos.2 to 8 are hereby dispensed with.

By means of this petition filed under Section 483 Cr.P.C., the petitioner has prayed for the following relief:-

"Wherefore, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to direct the learned Chief Judicial Magistrate, Barabanki to expeditiously decide the Case No.3717 of 2019 (State vs. Shyamu Kumar & others) relating to Crime No.402 of 2018, under Sections 498-A, 323, 504 & 506 I.P.C. and Section 3/4 of Dowry Prohibition Act, preferably within a period of six months, in the interest of justice."

Learned counsel for the petitioner has submitted that the petitioner being a complainant of the case crime in question has been suffering a lot. Under the compelling circumstances, she had filed an FIR in the year 2018. Since then, despite her all co-operation for the trial proceedings the trial is not running properly. Since the private-respondents were avoiding the trial proceedings, therefore, the warrants were issued against them and they surrendered before the trial court on 30.04.2019. Presently, the date is fixed before the learned trial court for prosecution witnesses. Therefore, he has requested that considering the plight of the petitioner, who is a lady, the direction for early disposal of the trial of the aforesaid criminal case be issued to the learned court below.

I have seen the certified copy of the order-sheet, which has been enclosed with the petition, and find that some of the orders have been written in too bad hand writing to read properly. As a matter of fact, some orders, more particularly the order dated 15.01.2021, cannot be read.

Therefore, the District Judge concerned is directed to issue

standing directions to the Peshkars/Readers, who write the order-sheet, to the effect that the order should be written in a manner those can be read properly. Since the typed copy of the order/ orders of the learned courts below is filed before the High Court or Supreme Court, therefore, that order must be legible so that it could be correctly typed and brought before the Superior Courts. There must be the bounded duty of the Peshkars/ Readers to write down the order in a legible manner, failing which, it may be treated as misconduct. Therefore, if the order is written in the order-sheet in a manner which is unable to read, the erring official should be issued explanation and thereafter he may be punished departmentally, as per law. Such directions are issued not only for the District Judge, Barabanki but for all the District Judges of the State of U.P. to issue such directions in terms of the aforesaid order.

The Senior Registrar of this Court shall circulate this order to all the District Judges of State of U.P. including the District-Judge, Barabanki for its strict compliance.

So far as the prayer of the present case is concerned, I hereby ***dispose of this petition finally*** at the admission stage directing the learned trial court i.e. the Chief Judicial Magistrate, Barabanki to expedite the proceedings and conclude the trial of Case No.3717 of 2019 (State vs. Shyamu Kumar & others) relating to Case Crime No.402 of 2018, under Sections 498-A, 323, 504 & 506 I.P.C. and Section 3/4 of Dowry Prohibition Act with expedition preferably within a period of nine months from the date of receipt of a certified/ computerized copy of this order.

Order Date :- 28.10.2021 [Rajesh Singh Chauhan,J.]
Suresh/