

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE SRI JUSTICE ALOK KUMAR VERMA

27TH May, 2022

CRIMINAL MISCELLANEOUS APPLICATION NO. 496 of 2022

Between:

Dr. Mohammad Shahba Nul Haq Gaur. ...Applicant

and

State of Uttarakhand and Another. ...Respondents

Counsel for the Applicant : Mr. Pranav Singh,
learned counsel.

Counsel for the Respondent : Mr. Lalit Miglani,
No.1 learned A.G.A. assisted by
Ms. Sonika Khulbe,
learned Brief Holder for
the State

Hon'ble Alok Kumar Verma,J.

The complainant-applicant Dr. Mohammad Shahba Nul Haq Gaur has invoked the inherent jurisdiction of this High Court under Section 482 of the Code of Criminal Procedure, 1973, to direct the IInd Judicial Magistrate, Roorkee, District Haridwar to expedite the proceedings of the Complaint Case No. 203 of 2018 (New No.336 of 2020), "Dr. Mohammad Shahba Nul Haq Gaur vs. Abhinav Sharma", under Section 138 of the Negotiable Instruments Act, 1881.

2. Heard Mr. Pranav Singh, the learned counsel for the applicant and Mr. Lalit Miglani, the learned A.G.A.

assisted by Ms. Sonika Khulbe, the learned Brief Holder for the State/respondent no.1.

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. 203 of 2018 (New No.336 of 2020), "Dr. Mohammad Shahba Nul Haq Gaur vs. Abhinav Sharma", under Section 138 of the Negotiable Instruments Act, 1881 and complete the trial most expeditiously without giving any unnecessary adjournment.

6. The Criminal Miscellaneous Application No.496 of 2022 is disposed of, accordingly.

ALOK KUMAR VERMA, J.

Dt: 27th May, 2022
Neha