



S. No. 82

Before Notice Matters

2022:JKLHC-SGR:4525

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CRM(M) No. 337/2022

Iqbal Ahmad Shah

.....Petitioner(s)

V/s

Through: Mr. Hakim Suhail Ishtiyag, Adv.

UT of J&K and Ors.

..... Respondent(s)

Through:

CORAM:

Hon'ble Mr. Justice Sanjay Dhar, Judge.

ORDER

18.08.2022

1. The petitioner through the medium of instant petition under Section 482 of Cr. PC is seeking a direction upon the court of Judicial Magistrate 1st Class (Sub Judge), Chadoora for expeditious trial of his case arising out of FIR No. 76/2013 for offences under Sections 3/4 of the Public Gambling Act, 1977 registered with Police Station, Nowgam.
2. It is submitted by learned counsel for the petitioner that the case was filed against the petitioner way back in the year 2013. Later on, the same came to be disposed of by virtue of order passed by the Lok Adalat whereby fine was imposed upon the petitioner. It is submitted that the aforesaid order of Lok Adalat was challenged by the petitioner before this Court by way of petition under Section 482 of Cr.PC and the order came to be set aside. Thereafter, the case was remanded back to the learned trial court for its disposal under law. It has been further submitted that since November, 2019, the case after being remanded back to the trial court is hanging fire before the said court without any substantial progress in the



trial of the case. On this ground, a direction is being sought upon the trial court to expedite the trial of the case.

3. Having regard to the nature of the relief sought in the petition, the same can be disposed of at the threshold by passing appropriate direction to the trial court.
4. The petitioner is booked for a petty offence and he is facing trial before the court below for the last about three years, after the case was remanded back to the said court. Therefore, this is a fit case where the trial court is required to wind up the trial at an earliest and decide the case expeditiously on its merits.
5. This petition is accordingly disposed of with a direction to the learned trial Magistrate to conclude the trial of the case within a period of one month from the date a copy of this order is made available to the learned Magistrate.
6. Disposed of as above.

(Sanjay Dhar)
Judge

SRINAGAR
18.08.2022
"Aasir"