

Court No. - 42

Case :- CRIMINAL APPEAL No. - 509 of 1984

Appellant :- Chandra Bhan Alias Chanda

Respondent :- State

Counsel for Appellant :- K. Sahai, Rahul Jain Amicus Curiae

Counsel for Respondent :- A.G.A.

Hon'ble Arvind Singh Sangwan, J.

Hon'ble Ram Manohar Narayan Mishra, J.

Heard Sri Rahul Jain, learned counsel for the Amicus Curiae as well as learned A.G.A. for the State-respondent and perused the record.

Learned counsel for the appellant submitted that on 12.12.2022 the appellant was granted bail by this Court. The perusal of the subsequent order show that appellant thereafter is absconding, and on 11.01.2023 the Chief Judicial Magistrate, Agra was directed to issue Non-Bailable warrant against appellant as well as direction was issued to the Police to make effective efforts to know the whereabouts of missing appellant-Chandra Bhan Alias Chanda.

Learned Standing Counsel submits that still the appellant was not traceable and frivolous efforts are being made.

In view of the same, we do not find any justification to continue with this appeal. Accordingly, the appeal is **dismissed for non-prosecution**.

However, liberty is granted to move an application for revival, after the appellant is arrested by the police authorities. The Chief Judicial Magistrate, concerned will make all endeavor to get the custody of the appellant to undergo the remaining sentence.

Order Date :- 3.11.2023

Ashish/-

(R.M.N. Mishra, J.) (Arvind Singh Sangwan, J.)