

Court No. - 42

Case :- CRIMINAL APPEAL No. - 1731 of 2004

Appellant :- Shankar Yadav

Respondent :- State of U.P.

Counsel for Appellant :- Jagdish Singh Sengar, Babu Lal Ram, Prem Chandra Patel, Ram Babu Sharma, Vindhyachal Singh

Counsel for Respondent :- Govt. Advocate, Dharendra Kumar Srivastava, Ram Ji Yadav, Saroj Kumar Dubey, Vineet Kumar Yadav, Virendra Pratap Pal

Hon'ble Arvind Singh Sangwan, J.

Hon'ble Ram Manohar Narayan Mishra, J.

Heard learned counsel for the informant as well as learned A.G.A. for the State-respondent and perused the record.

Learned counsel for the informant submitted that this appeal is pending since 2004 and still no body has put in appearance on behalf of the appellant-accused.

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 is directed to make sure that appellant is arrested and sent to jail custody to undergo the remaining sentence.

Order Date :- 3.11.2023

Ashish/-

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