

Court No. - 90

Case :- APPLICATION U/S 482 No. - 22524 of 2023

Applicant :- Sanjeev

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ajeet Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The present applicant has invoked inherent jurisdiction of this Court assailing the order dated 16.11.2021 passed by learned Additional Chief Judicial Magistrate, Court No. II, Budaun in Complaint Case No. 1051 of 2018 (Sushil Vs. Sanjeev and others), under Section 323 and 326 IPC, Police Station Ughaiti, District Budaun by which non-bailable warrant has been issued against the applicant.
3. After due deliberation at length and without arguing on the merits of the case, learned counsel for the applicant states that due to some personal difficulties, present applicant could not appear before the court concerned in time in pursuance of the order dated 28.6.2019 passed by this Court in Application U/S 482 No. 24927 of 2019 which led issuance of non-bailable warrant against him. Now, the present applicant is ready and willing to co-operate with the court proceedings provided some protection may be given to him to enable him to appear before the concerned court below.
4. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case as mentioned in the present application, with a direction that, in case, the present applicant surrenders/appears before court concerned and files bail application within a period of three weeks from today, the same shall be considered and decided by the concerned court below within a period of two weeks thereafter.
5. For a period of five weeks or till the decision on the bail application, whichever is earlier, no coercive action shall be taken against the present applicant in the aforesaid matter.

6. With the aforesaid direction, present writ petition is **disposed of**.

Order Date :- 30.10.2023
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