

Court No. - 92

Case :- APPLICATION U/S 482 No. - 21202 of 2010

Applicant :- Nebbu Lal And Others

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

Counsel for Applicant :- Ali Hasan, Ishtiyak Ali, Neetu Singh

Counsel for Opposite Party :- Govt Advocate, Lakshmi Kant Pandey, Sandeep Kumar Pandey

Hon'ble Anish Kumar Gupta, J.

1. None appears for the applicants to press the instant application. Sri Laxmikant Pandey, learned counsel for opposite party no.2 and Sri Akhilesh Srivastava, learned AGA for the State are present.

2. Yesterday this matter was listed and when this Court was not inclined to entertain this application in view of the fact that another application challenging the summoning order has already been dismissed by this Court, another Application under Section 482 No.8128 of 2010 by the applicants herein was dismissed for want of prosecution by this Court on 13.12.2021.

3. The instant application is challenging the non-bailable warrants issued against the applicants herein and on the request of learned counsel for the applicants, this matter was adjourned for today to enable the learned counsel for the applicants to verify the factum of dismissal of the another Application under Section 482 No.8128 of 2010. Despite the aforesaid order, none is present today on behalf of the applicants to press the instant application.

4. From perusal of the order dated 11.06.2010, which has been challenged whereby non-bailable warrants have been issued against the applicants, wherein it is apparent that the proceedings under Sections 82 and 83 Cr.P.C. were already initiated against the applicants and despite it, they were not appearing in Court and there was no stay order in favour of the applicants in any other proceedings. Therefore, the learned Magistrate has rightly proceeded by issuing non-bailable warrants against the applicants.

5. In view thereof, the instant application is devoid of merits and is hereby dismissed.

Order Date :- 6.12.2023

Ashish Pd.