

**Court No. - 90**

**Case :-** APPLICATION U/S 482 No. - 28618 of 2023

**Applicant :-** Mahipal Singh Alias Rajjan And 2 Others

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

**Counsel for Applicant :-** Dileep Kumar

**Counsel for Opposite Party :-** G.A.

**Hon'ble Dinesh Pathak,J.**

1. Heard learned counsel for the applicants, learned AGA and perused the record.
2. The present applicants have invoked the inherent power of this Court under Section 482 CrPC assailing the order dated 31.1.2023 passed by Judicial Magistrate, Month, Jhansi issuing non-bailable warrant and proclamation under Section 82 CrPC against the present applicant in Criminal Case No. 558 of 1991 (State Vs. Mahipal Sing and others).
3. After due deliberation at length and without pressing the merits of the case, learned counsel for the applicants has urged that some protection may be granted to the present applicants to enable them to appear before the court below and participate in the proceeding going on against them inasmuch due to personal difficulties, they could not appear before the concerned court in a time. It is further submitted that applicants are ready and willing to co-operate with the court proceedings.
6. Learned AGA has vehemently opposed the submissions raised by the learned counsel for applicants and supported the order dated 31.1.2023 passed by the court competent.
7. Having considered the rival submissions raised by the learned counsel for the parties, I am of the view that no useful purpose would be served to keep this matter pending, therefore, instant application is being decided finally without considering the merits of the case, with a direction that, in case, the present applicants appear/surrender before the trial court concerned and move a bail application within a period of three weeks from today, the same shall be considered and decided by the learned trial court

concerned within a period of two weeks, thereafter.

8. 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 applicants in the aforementioned case.

9. With the aforesaid observation, this application is **disposed of**.

**Order Date :- 1.11.2023**

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