

Court No. - 86

Case :- APPLICATION U/S 482 No. - 30799 of 2023

Applicant :- Rakesh Kumar Awasthi

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

Counsel for Applicant :- Rajeshwar Prasad Sinha

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.
2. This application under Section 482 CrPC has been filed with the prayer to quash the summoning order dated 15.01.2007 as well as entire proceeding of Complaint Case No. 142 of 2006 (Prem Singh Vs. R.K. Awasthi and Others), under Sections 395, 397 IPC, Police Station Raja Ka Rampur, District Etah, pending in the court of Special Judge (D.A.A.), Etah.
3. At the very outset, learned AGA for the State has pointed out that in the instant case, the applicant was summoned by the court below vide order dated 15.01.2007, however, the instant application has been filed after an expiry of more than 16 years, as such, the present application is hopelessly barred by laches.
4. Learned AGA has further submitted that said laches has not been explained at all by learned counsel for the applicant, in the absence of which, the present application does not deserve any indulgence by this Court.
5. Learned counsel for the applicant has not been able to give any reasonable explanation for the said laches.
6. In view of the above, the present application under Section 482 Cr.P.C. is liable to be dismissed on the ground of laches and it is accordingly **dismissed**.

Order Date :- 28.10.2023

Nadim