

Court No. - 88

Case :- APPLICATION U/S 482 No. - 30531 of 2023

Applicant :- Saltan Rajbhar

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

Counsel for Applicant :- Vivek Singh, Sanjai Kumar Singh, Udai Bhanu Singh

Counsel for Opposite Party :- G.A., R. A. Ram

Hon'ble Sanjay Kumar Singh, J.

Heard learned counsel for the applicant, learned Additional Government Advocate for the State of U.P./opposite party no.1 and Shri Ram Adhar Ram, learned counsel appearing on behalf of opposite party No. 2 and perused the record.

This application under Section 482 Cr.P.C. has been filed by the applicant for quashing the impugned charge sheet dated 17.12.2014 and non-bailable warrant dated 22.6.2023 issued by the learned Judicial Magistrate FTC (SD), Azamgarh in Case No. 1035 of 2023 (State Vs. Saltan Rajbhar) arising out of case crime No. 151 of 2014, under Sections 406, 419, 420 IPC, police station Tarwan, district Azamgarh.

It is submitted by the learned counsel for the applicant that due to lack of knowledge applicant could not appear before the Court below. Impugned non bailable warrants have been wrongly and illegally issued by the concerned Court below against the applicant.

On the other hand learned Additional Government Advocate contended that in this case charge sheet has been submitted on 17.12.2014, cognizance was taken on 23.11.2018, summon was issued on 23.11.2018, bailable warrant was issued on 13.3.2023 and consequently on 01.6.2023 non-bailable warrants has been issued and since then applicant is absconding.

Admittedly, order sheets of the lower Court indicate

that applicant is playing hide and seek with the Court since 23.11.2018 and wants this Court to come to his rescue by exercising its inherent jurisdiction. On account of non appearance of the applicant before the Court concerned, non bailable warrant has been issued against him.

Having considered the submissions of learned counsel for the parties and looking into the conduct of the applicant in the lower court, I find no good ground to interfere with the order of lower court issuing non-bailable warrants. In view of the above, the relief claimed by the applicant is refused.

The application lacks merit and is accordingly dismissed.

Order Date :- 3.11.2023

Ishrat