

Court No. - 90

Case :- APPLICATION U/S 482 No. - 38761 of 2016

Applicant :- Ram Swaroop Maurya And 2 Others

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

Counsel for Applicant :- Vinod Kumar Shukla

Counsel for Opposite Party :- G.A., Kamal Dev Rai, Ram Kumar Dubey

Hon'ble Dinesh Pathak, J.

1. Heard learned counsel for applicants and learned AGA for the State as well as learned counsel for opposite party No.2.

2. The present applicants have invoked the inherent power of this Court under Section 482 Cr.P.C., beseeching the quashing of impugned charge sheet dated 8.7.2016 (State Vs. Ram Swaroop and others) arising out of Case, Crime No. 52 of 2015, under Sections 498A, 323, 504, 506 IPC and 3/4 D.P. Act, Police Station Mahila Thana, District Etawah, pending before Judicial Magistrate-7, Etawah.

3. After due deliberation at length, it has been brought to the notice of the court that opposite party No.2 has died on 30.08.2021 during Covid-19 Pandemic.

4. Learned counsel for opposite party No.2 has nodded the statement as made by learned counsel for applicants, therefore, in the light of death of opposite party No.2, his Vakalatnama on behalf of opposite party No.2 ceases.

5. In this conspectus, as above, no useful purpose would be served to keep the instant application pending, therefore, this Court deems it appropriate to finally dispose of the present application with the following direction :-

(i) The present applicants in case appear/surrender and move bail application before the court below within a period of three weeks from today, the same shall be decided by the court concerned within a period of two weeks thereafter. For a period of five weeks or till decision of bail application, whichever is earlier, no coercive action shall be taken against the present applicants in the proceeding arising out of Case Crime No.52 of 2015, under Sections 498A, 323, 504, 506 IPC and 3/4 D.P. Act, Police Station Mahila Thana, District Etawah, pending before Judicial Magistrate-7, Etawah

(ii) Learned trial court shall make endeavour to deice the criminal proceeding arising out of Case Crime No.52 of 2018 expeditiously, preferably, within a period of six months from the date of production of certified copy of this order.

6. With the aforesaid observation, the present application is finally **disposed of**.

Order Date :- 31.10.2023

Md Faisal