

Court No. - 88

Case :- APPLICATION U/S 482 No. - 31343 of 2023

Applicant :- Lata @ Bindu Devi And 3 Others

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

Counsel for Applicant :- Madhukar Maurya, Anjani Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh, J.

Heard learned counsel for the applicants, learned Additional Government Advocate for the State of U.P/opposite party no.1. and perused the record.

This application under Section 482 Cr.PC has been filed by the applicants to quash the order of non-bailable warrant dated 01.10.2022 issued against the applicants in case no 733 of 2013 (Shivdevi Vs. Jawahir and others), under Sections 323, 504, 5061 and 427 IPC Police Station Zafarabad, District-Jaunpur, pending in the court of learned Additional Civil Judge Fourth Judicial Magistrate, Fifth, Jaunpur.

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

On the other hand learned Additional Government Advocate comended that in this case applicants were summoned vide order dated 08 08 2016, but on their non appearance before the trial court, Non-bailable warrant has been issued in the year 2022, even then applicants are absconding.

Admittedly, order sheets of the lower Court indicate that applicants are playing hide and seek with the Court since 2016 Le for the last about 7 year and wants this Court to come to his rescue by exercising

its inherent jurisdiction. On account of non appearance of the applicants before the Court concerned, non bailable warrant has been issued against them. Having considered the submissions of learned counsel for the parties and looking into the conduct of the applicants 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 applicants is refused.

In view of the aforesaid, the application stands dismissed.

Order Date :- 17.10.2023
S.A.