

Court No. - 92

Case :- APPLICATION U/S 482 No. - 34112 of 2023

Applicant :- Shiv Prasad Jaiswal

Opposite Party :- State of U.P.

Counsel for Applicant :- Sumant Krishna Singh, Abhishek Kumar Jaiswal

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta, J.

1. Heard Sri Anchal Kumar Rao, Advocate holding brief of Sri Abhishek Kumar Jaiswal, learned counsel for the applicant and Sri Prem Prakash Tripathi, learned A.G.A. for the State.

2. The instant application under Section 482 Cr.P.C. has been filed seeking quashing of the charge-sheet dated 31.12.1997 and order dated 07.08.2022, arising out of Case Crime No. 112 of 1997 (State vs. Shiv Prasad Jaiswal), u/S 4/25 of Arms Act, 1959, P.S.- G.R.P., District- Mirzapur, pending before the Court of Additional Civil Judge (J.D.), Court No.2, Mirzapur.

3. Learned counsel for the applicant submits that he was granted bail and was appearing before the Trial Court for some time and when he could not appear before Trial Court, warrants were issued against him and since 08.06.2006, the non-bailable warrants are issued against the applicant herein. Despite that, the applicant could not participate in the trial.

4. Learned counsel for the State submits that in the instant case the charge-sheet was filed on 06.01.1998 and due to absence of the applicant from 08.06.2006, trial could not be proceeded and non-bailable warrants were issued against the applicant and for the period of 17 years continuously, the applicant was absconding from the trial.

5. In view of the aforesaid facts, no interference is called for in the instant matter. Looking at the aforesaid facts and conduct of the applicant, the instant applicant is devoid of merits and is hereby **dismissed**.

Order Date :- 18.10.2023

Shubham Arya