

Court No. - 86

Case :- APPLICATION U/S 482 No. - 35670 of 2023

Applicant :- Umesh Chandra And 2 Others

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

Counsel for Applicant :- Varun Vijay Singh, Dur Vijay Singh

Counsel for Opposite Party :- G.A., Jitendra Kumar Mishra

Hon'ble Rajiv Gupta, J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants for quashing charge-sheet dated 27.11.2019 and cognizance order dated 19.11.2020 as well as entire proceedings of Case No. 1023 of 2020 (State Vs. Shobharam and others), arising out of Case Crime No. 445 of 2018, under Sections 419, 420, 504 and 506 IPC, P.S. Kaimganj, District Farrukhabad, pending in the court of J.M., Kaimganj, District Farrukhabad.

3. At the very outset, learned AGA for the State has submitted that the present application has been filed after expiry of about four years from the date of filing of charge-sheet and about three years of passing of cognizance/summoning order dated 19.11.2020. Thus, the instant application is hopelessly barred by laches. It is further submitted that the said laches has not been explained at all, in the absence of which, the present application do not deserve any indulgence by this Court.

4. Learned counsel for the applicants has not been able to give any reasonable explanation for the said laches. In view of the above, the present application u/s 482 Cr.P.C. is liable to be dismissed on the ground of laches and it is accordingly dismissed.

Order Date :- 6.11.2023

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