

Court No. - 88

Case :- APPLICATION U/S 482 No. - 35129 of 2023

Applicant :- Prashant Kumar And Another

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

Counsel for Applicant :- Shyam Shanker Pandey

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.P.C. has been filed by the applicants to quash the Non-bailable warrant dated 12.07.2023 issued against the applicants in Criminal Case No. 1657 of 2015 (State Vs. Prashant Kumar and others) arising out of Case Crime No. 718 of 2013, under Sections 406, 420, 504, 506 IPC, Police Station Shahganj, District Agra pending in the court of Additional Chief Judicial Magistrate 1st, Agra.

It is submitted by the learned counsel for the applicants that due to lack of knowledge, 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 contended that in this case charge-sheet has been submitted on 02.03.2015 and firstly, the non-bailable warrant has been issued in the year 2016 and since then the applicants are absconding.

Admittedly, order sheets of the lower Court indicate that applicants are playing hide and seek with the Court since 2016 i.e. for the last about seven years and want this Court to come to their 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.

The application lacks merit and is, accordingly, dismissed.

Order Date :- 18.10.2023

Shubham