

Court No. - 86

Case :- APPLICATION U/S 482 No. - 35072 of 2023

Applicant :- Samar Singh

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

Counsel for Applicant :- Bed Kant Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

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

2. This application under Section 482 CrPC has been filed with the prayer to quash the summoning order dated 2.2.2019 as well as entire proceeding of Complaint Case No. 6236 of 2017, under Sections 420, 406 IPC, Police Station Chakeri, District Kanpur Nagar, pending in the court of MM-2 Kanpur Nagar.

3. At the very outset, learned AGA for the State has pointed out that in the instant case, cognizance was taken on 1.9.2018 and the applicant was summoned by the court below vide order dated 2.2.2019, however, the instant application has been filed after an expiry of more than four years, as such, the present application is hopelessly barred by laches.

4. Learned AGA has further submitted that said laches has not been explained at all by learned counsel for the applicant, in the absence of which, the present application does not deserve any indulgence by this Court.

5. Learned counsel for the applicant has not been able to give any reasonable explanation for the said laches.

6. In view of the above, the present application under Section 482 Cr.P.C. is liable to be dismissed on the ground of laches and it is accordingly dismissed.

Order Date :- 28.10.2023

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