

Court No. - 91

Case :- APPLICATION U/S 482 No. - 35874 of 2023

Applicant :- Kuldeep Chaudhary @ Monu Chaudhary

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Gagan Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

1. Heard counsel for the applicant, learned A.G.A for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed to quash the non-bailable warrant order dated 28.04.2005 passed by Additional District Judge (GST) 26, Agra in GST No.543 of 2002 (State v. Kuldeep and others) in connection with case crime no.247 of 2002, under sections U.P. Gangster and Anti Social Activities (Prevention) Act, P.S. Jagner, District Agra, pending in the court of Additional District Judge (GST) 26, Agra and further prayer to stay the further proceedings of the aforesaid case has been made.
3. The only submission raised by learned counsel for the applicant is that the court concerned vide order dated 28.04.2005 has issued non-bailable warrant for appearance of the applicant. Counsel for the applicant has urged that an opportunity be granted to the applicant to file an application for recall of the order issuing non-bailable warrant/ move an application for bail.
4. Learned AGA has no objection to the said prayer.
5. The prayer for quashing the entire proceeding of aforesaid criminal case is hereby refused.
6. However, it is provided that if the applicant files an application for recall of the order issuing non-bailable warrant/ move an application for bail within four weeks from today, the said application shall be considered by the court concerned and appropriate order shall be passed expeditiously.
7. For a period of four weeks, no coercive action shall be taken against the applicant.
8. In the event of failure, on the part of the applicant to act within

time as directed above, the court concerned may adopt all coercive measures to ensure the appearance.

9. With the aforesaid observations, this application is finally **disposed of**.

Order Date :- 27.10.2023

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