

Court No. - 86

Case :- APPLICATION U/S 482 No. - 36681 of 2023

Applicant :- Hakim

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Sushil Kumar Pandey

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 Cr.P.C. has been filed with the prayer to quash the charge-sheet dated 20.06.2016 and cognizance/ summoning order dated 24.05.2017 and entire proceedings of Special Case No. 1502 of 2017 (State Vs. Hakim), arising out of Case Crime No. 262 of 2016, under Section 138(B) of Indian Electricity Act (Amendment), 2003, Police Station Baldev, District Mathura, pending in the court of Special Judge (E.C. Act), Mathura.
3. Perusal of the record shows that the present application has been filed after expiry of more than seven years from the date of filing of the charge-sheet and six years of passing of the cognizance/ summoning order dated 24.05.2017 issued by the court below against the applicant.
4. Learned counsel for the applicant has submitted that he had no knowledge of the said proceedings, as such, he could not approach this Hon'ble Court earlier.
5. The instant application is hopelessly barred by laches of more than seven years from the date of filing of charge-sheet and six years of passing of the cognizance/ summoning order dated 24.05.2017, which has not been satisfactorily explained at all by learned counsel for the applicant.
6. On account of continuous absence of the applicant, the proceedings remained held up for the last more than seven years. Since the laches in filing the present application remain unexplained, no case for interference is made out.
7. The present application under Section 482 CrPC fails and is accordingly **dismissed** on the ground of laches.

Order Date :- 6.11.2023/Nadim