

Court No. - 86

Case :- APPLICATION U/S 482 No. - 37142 of 2023

Applicant :- Rama Shankar Chaurasia And 2 Others

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

Counsel for Applicant :- M J Akhtar

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

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

2. The present application under Section 482 Cr.P.C. has been filed for quashing the charge sheet dated 25.10.2013 and cognizance order dated 3.9.2016 as well as entire criminal proceedings of Case No. 996 of 2016 (State Vs. Rama Shankar Chaurasia and others) arising out of Case Crime No. 1173 of 2013, under Sections 147, 148, 323 IPC, P.S. Kaptanganj, District-Kushinagar, pending in the court of Civil Judge (Senior Division) Kushinagar at Padrauna.

At the very outset, learned AGA for the State has submitted that the charge sheet has been submitted on 25.10.2013 and cognizance has been taken on 3.9.2016, however, the instant application has been filed after an expiry of more than seven years, as such, the present 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.

Learned counsel for the applicant 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 :- 30.11.2023

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