

Court No. - 92

Case :- APPLICATION U/S 482 No. - 39594 of 2018

Applicant :- Vijendra Yadav

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

Counsel for Applicant :- Kandarp Srivastava, Kaustubh Srivastava

Counsel for Opposite Party :- G.A., Prem Chandra Dwivedi

Hon'ble Anish Kumar Gupta, J.

1. None is present on behalf of applicant to press the instant application. Sri Prem Chandra Dwivedi, learned counsel for opposite party no.2 and Sri Satish Kumar Shukla, learned A.G.A. for the State are present.

2. The instant application has been filed seeking quashing of entire proceedings of Complaint Case No.640 of 2017 (Mukesh Kumar Vs. Vijendra Yadav and another), under Sections 406, 420, 506 IPC, Police Station New Agra, District Agra, pending in the court of Additional Chief Judicial Magistrate, Court No.9, Agra.

3. Vide order dated 01.11.2018, notice was issued and interim order was granted in favour of the applicant.

4. Learned counsel for opposite party no.2 submits that he has filed counter affidavit along with an application for vacation of stay. Till date no rejoinder affidavit has been filed on behalf of applicant despite order dated 26.09.2019.

5. The counter affidavit filed on behalf of opposite party no.2 has not been traced out or placed on record by the Registry.

6. Subsequently on 31.10.2019, the matter was adjourned on the illness slip of Sri Kandarp Srivastava, learned counsel for the applicant. Again on 09.12.2022, none was present on behalf of the applicant to press the instant application. Today, also none is present on behalf of the applicant to press the instant application even in the revised call.

7. In view thereof, the instant application u/s 482 Cr.P.C. is dismissed for want of prosecution.

Order Date :- 31.10.2023

Atul