

Court No. - 90

Case :- APPLICATION U/S 482 No. - 37480 of 2023

Applicant :- Sarita Devi

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

Counsel for Applicant :- Arvind Kumar Saxena

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.
2. The present applicant has invoked the inherent power of this Court under Section 482 Cr.P.C. assailing the order dated 15.09.2023, passed by learned Additional Chief Judicial Magistrate-Ist, Etawah in respect of the present Applicant as well as entire proceeding of Criminal Case No.16103 of 2022 (State Vs. Akhilesh Kumar and another) arising out of the Case Crime No. 429 of 2021, under Sections 420, 506 IPC, Police Station Bhartha, District Etawah pending before Additional Chief Judicial Magistrate-I, Etawah.
3. After due deliberation at length, without pressing the merits of the case, learned counsel for the applicant has urged that due to lack of knowledge with respect to the criminal proceedings going on he could not appear before the court below, therefore, some protection may be given to the present applicant so that she may appear before the court below and participate in the proceedings. It is further submitted that it has never been intention of the present applicant to avoid the court proceedings and protract the litigation.
4. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to decide the instant matter finally without entering into the merits of the case with a direction that the present applicant in case appears/surrenders and moves bail application within a period of two weeks from today before the court concerned, same shall be considered and decided within a period of two weeks, thereafter.
5. For a period of four weeks or till the decision on the bail application, whichever is earlier, no coercive action shall be taken

against the present applicant in the criminal proceedings arising out of case Crime No.429 of 2021.

6. With the aforesaid direction, present application is disposed of.

Order Date :- 3.11.2023/vkg