

Court No. - 88

Case :- APPLICATION U/S 482 No. - 37767 of 2023

Applicant :- Taiya Alias Kanahiya Lal

Opposite Party :- State of U.P.

Counsel for Applicant :- Manoj Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

1-Heard learned counsel for the applicant, learned Additional Government Advocate for the State of U.P./opposite party no.1 and perused the record.

2-This application under Section 482 Cr.P.C. has been filed by the applicant with a prayer to quash the charge-sheet dated 24.07.2004 and proceedings of case no. 6773 of 2004 arising out of case crime no. 407 of 2004, under Sections 147, 148, 149, 336, 332, 333, 353, 427 I.P.C. and Section 7 of Criminal Law Amendment Act, Police Station Kotwali, District Bareilly pending in the court of Civil Judge, Junior Division (F.T.C.-Ist), Bareilly.

3-It is submitted by the learned counsel for the applicant that due to lack of knowledge, applicant could not appear before the Court below. The impugned criminal proceedings against the applicant has wrongly and illegally been issued by the concerned Court below against the applicant.

4-On the other hand learned Additional Government Advocate contended that in this case, charge sheet has been submitted on 24.07.2004 and the learned Magistrate concerned took cognizance on 06.11.2004 and since then, applicant is absconding.

5-Admittedly, perusal of record shows that the applicant is playing hide and seek with the Court since 2004 i.e. for the last about 19 years and wants this Court to come to his rescue by exercising its inherent jurisdiction.

6-Having considered the submissions of learned

counsel for the parties and looking into the conduct of the applicant in the lower court, I find no good ground to interfere in the matter.

7-In view of the above, the relief claimed by the applicant is refused.

8-The application lacks merit and is accordingly ***dismissed.***

Order Date :- 30.10.2023

Saurabh