

Court No. - 86

Case :- APPLICATION U/S 482 No. - 37876 of 2023

Applicant :- Jagrup And Another

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

Counsel for Applicant :- Subhash Chandra,Virendra Kumar Kori

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. This application under Section 482 Cr.P.C. has been filed for quashing the charge framing order dated 23.8.2023 and N.B.W, dated 21.9.2023 passed by Additional Session Judge, Court No. 6, Prayagraj as well as entire proceeding of S.T. No. 1377 of 2023, State Vs. Jagrup and another, arising out of case crime no. 680 of 2022, under section 313, 323, 452 I.P.C. P.S. Nawabganj, District Prayagraj, pending in the court of Additional Session Judge, Court No.6, Prayagraj.
3. From the record, it transpires that on account of the failure of the applicants to appear before the court below, non-bailable warrants have been issued against the applicants by the court below vide order dated 23.2.2018.
4. Learned counsel for the applicants submits that interest of justice shall be served provided some protection is granted by this Court to enable the applicants to appear before the court below.
5. Considering the facts and circumstances of the case, it is provided that the applicants shall appear before the court concerned within three weeks from today and move an application for recall of the non bailable warrants, which shall be considered and disposed of expeditiously in accordance with law.
6. For a period of three weeks, the execution of non bailable warrants issued against the applicants shall remain stayed.
7. In case of default, the interim protection granted by this Court shall stand automatically vacated and the court below shall be free to proceed against the applicants in accordance with law.
8. With the aforesaid direction, the application is finally disposed of.

Order Date :- 19.10.2023

R