

Court No. - 90

Case :- APPLICATION U/S 482 No. - 39531 of 2023

Applicant :- Deepak Sharma

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

Counsel for Applicant :- Shiv Avtar Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Dinesh Pathak,J.

1. Heard learned counsel for the applicant and the learned A.G.A.
2. The applicant has invoked the inherent jurisdiction of this Court to quash the order dated 30.03.2022, issuing non-bailable warrant against the applicant passed by the Additional District Judge, Court No. 17, Meerut along with entire proceeding of S.T. No. 707 of 2017 (State vs. Deepak Sharma), arising out of Case Crime No. 171 of 2014 under Sections 307, 352, 504 I.P.C., Police Station Nauchandi, District Meerut pending in the court of Additional District & Sessions Judge, Court No. 18, Meerut.
3. After due deliberations at length, without addressing on the merits of the criminal proceeding, learned counsel for the applicant urged to grant protection to the present applicant so that he may appear before the court below and participate in the proceedings. It is submitted that due to lack of knowledge, the present applicant could not appear before the court below which led issuance of non-bailable warrant against him. At present the applicant is ready and willing to cooperate with the court proceedings.
4. Learned A.G.A. has raised objection with respect to the conduct of the present applicant who has deliberately protracted the litigation.
5. In this conspectus as above, no useful purpose would be served to keep this application pending, therefore, this Court deems it appropriate to decide the instant application finally, without entering into the merits of the case as averred in the instant application, with a direction that, in case, the present applicant appears/surrenders before the court concerned along with a certified copy of this order and move bail application within two weeks from today, same shall be considered and decided by the court concerned within a period of two weeks thereafter. For a period of four weeks or till the disposal of bail application, whichever is earlier, no coercive action shall be taken against the present applicant in Case Crime No. 171 of 2014 under Sections

307, 352, 504 I.P.C., Police Station Nauchandi, District Meerut.

6. With the aforesaid observation/direction, the instant application is finally **disposed off**.

Order Date :- 3.11.2023

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