

**Court No. - 91**

**Case :-** APPLICATION U/S 482 No. - 39786 of 2023

**Applicant :-** Vichitra Narayan Singh

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

**Counsel for Applicant :-** Ram Mani Upadhyay, Sarvjeet Kumar

**Counsel for Opposite Party :-** G.A.

**Hon'ble Gajendra Kumar, J.**

Heard counsel for the applicant, learned A.G.A for the State and perused the record.

This application under Section 482 Cr.P.C. has been filed to quash the non-bailable warrant order dated 6.02.2006 issued by learned Additional Chief Judicial Magistrate, Ist, Basti in Old Case No.2924 of 1996 (New Case No.2965 of 2006), Case Crime No.44 of 1985, under section 409 IPC, Police Station Dubauliya, District Basi.

The only submission raised by learned counsel for the applicants is that the court concerned vide order dated 6.2.2006 has issued non-bailable warrant for appearance of the applicants. Counsel for the applicants has urged that an opportunity be granted to the applicants to file an application for recall of the order issuing non-bailable warrant.

Learned AGA has no objection to the said prayer.

The prayer for quashing the entire proceeding of aforesaid criminal case is hereby refused.

However, it is provided that if the applicants file an application for recall/bail of the order issuing non-bailable warrant within four weeks from today, the said application shall be considered by the court concerned and appropriate order shall be passed expeditiously.

For a period of four weeks, no coercive action shall be taken against the applicants.

In the event of failure, on the part of the applicants to act within time as directed above, the court concerned may adopt all coercive measures to ensure the appearance.

With the aforesaid observations, this application is finally disposed of.

**Order Date :-** 30.10.2023  
SFH