

Court No. - 90

Case :- APPLICATION U/S 482 No. - 40532 of 2023

Applicant :- Meraj Ahmad

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

Counsel for Applicant :- Subhash Chandra Mishra

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 inherent jurisdiction of this Court assailing the non-bailable warrant dated 11.2.2021 issued by learned Additional District Judge-I, Allahabad in ST No. 518 of 2009 (State Vs. Israr), Case Crime No. 416 of 2007, under Sections 325, 323, 504 and 308 IPC, Police Station Handiya, District Allahabad.
3. After due deliberation at length and without pressing on the merits of the case, learned counsel for the applicant submits that initially the applicant was enlarged on bail, however, during Covid-19 pandemic, the case was transferred to some other court and information with regard to transfer of the case could not come to the knowledge of the applicant, therefore, he could not appear before the court concerned which led issuance of non-bailable warrant against him. It is further submitted that the present applicant has never harbored any intention to disregard or ignore the criminal proceedings, therefore, some protection may be granted to the present applicant, facilitating his appearance and active participation in the ongoing trial before the court concerned.
4. In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present application, without making any observation on the merits of the case as mentioned in the present application, with a direction that, in case, the present applicant surrenders/appears before court concerned and files bail application within a period of two weeks from today, the same shall be considered and decided by the concerned court below 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 aforesaid matter.
6. With the aforesaid direction, present writ petition is **disposed of**.

Order Date :- 30.11.2023

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