

Court No. - 88

Case :- APPLICATION U/S 482 No. - 39849 of 2023

Applicant :- Pankaj Kumar

Opposite Party :- State of U.P.

Counsel for Applicant :- Rama Shankar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.

2. The instant application under Section 482 Cr.P.C. has been preferred by the applicant with a prayer to quash the Non-Bailable Warrant dated 08.07.2022, in Case Crime No.4348 of 2005, arising out of No.92 of 2005, under Sections 420, 467, 468, 471 IPC, Police Station Kotwali Nagar, District Bulandshahar.

3. At the outset, learned AGA pointed out that earlier applicant had preferred an application, under Section 482 Cr.P.C. No.30300 of 2019 for quashing of charge sheet dated 30.09.2005 as well as proceedings of Case No.4348 of 2005 (State Vs. Pankaj Kumar and others) but relief for quashing the charge sheet and entire proceeding was refused and application was disposed of vide order dated 06.08.2019 observing that in case applicant surrender before the concerned Court below and moves bail application, the same shall be considered and decided in accordance with law but applicant did not comply the order dated 06.08.2019. On account of non appearance of the applicant since long as noted above, the Non Bailable Warrant has been issued against him on 08.07.2022.

4. In response, learned counsel for the applicant submits that the applicant was not aware about the order dated 06.08.2019, therefore, he could not appear before the concerned Court below.

5. Having heard the submissions of learned counsel for the parties, I find that it is not in dispute that that Non Bailable Warrant dated 08.07.2022 has been issued on non appearance of the applicant before the concerned Court below. I do not find any good ground to interfere in the matter, the application lacks merit and is accordingly, dismissed.

Order Date :- 2.12.2023/ RKM