

Court No. - 91

Case :- APPLICATION U/S 482 No. - 40895 of 2023

Applicant :- Karan Singh And 4 Others

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

Counsel for Applicant :- Abhinav Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

1. Heard learned counsel for the applicant as well as learned A.G.A for the State and perused the record.
2. This application under Section 482 Cr.P.C. has been filed for quashing the entire criminal proceedings of Complaint Case No.2659 of 2023 (Badan Singh Vs. Karan Singh), under section 148, 149, 323, 504, 506 IPC, Police Station Indergarh, District Kannauj and summoning order dated 9.11.2009 passed by Judicial Magistrate, Kannauj, and consequential proceeding of non-bailable warrant dated 07.01.2021.
3. Learned counsel for the applicant contended that the reasons on account of which the applicant failed to appear before the trial court were beyond his control and the applicant has every intention to appear before the court concerned and participate in the proceedings of the trial.
4. Learned AGA appearing for the State opposed the prayer.
5. Having regard to the facts and circumstances of the case, after perusing the impugned order as well as the materials brought on record and having considered the submissions made by the learned counsel for the parties, the prayer made in the application is refused.
6. However, without expressing any opinion on the merits of the case, the application is **disposed of** with a direction to the applicant to move an application for cancellation of the NBW before the court below within four weeks from today, which shall be heard and decided in accordance with law.
7. For a period of four weeks from today, effect and operation of non-bailable warrant issued against the applicant shall be kept in abeyance.
8. With the aforesaid observations, the application is disposed of.

Order Date :- 6.11.2023/SFH