

Court No. - 86

Case :- APPLICATION U/S 482 No. - 42434 of 2023

Applicant :- Lalitendra Prakash Sharma

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

Counsel for Applicant :- Rohit Yadav, Pushkar Nath Tripathi

Counsel for Opposite Party :- G.A., Mrityunjay Dwivedi

Hon'ble Rajiv Gupta, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State, Shri Mrityunjay Dwivedi, learned counsel for the opposite party no.2 and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicant with the prayer to quash the bailable warrant dated 19.09.2023 passed by Additional Civil Judge (Jr. Div.), Court No.2, Aligarh, in Complaint Case No. 3108 of 2018 (Lavendra Vs. Lalitendra Prakash), under Sections 392, 323, 504 IPC, Police Station Banna Devi, District Aligarh.

3. From perusal of the record, it transpires that on account of failure of the applicant to appear before the court below, bailable warrant has been issued against him vide order dated 19.09.2023.

4. Learned counsel for the applicant has submitted that the interest of justice shall be served, provided some protection is granted by this Court to enable the applicant to appear before the court below.

5. Considering the facts and circumstances of the case, it is provided that the applicant shall appear before the court concerned within three weeks from today and move an application for recall/cancellation of bailable warrant, which shall be considered and disposed of expeditiously in accordance with law.

6. For a period of three weeks from today, the execution of bailable warrant issued against the applicant shall remain stayed.

7. In case of default, the interim protection granted by this Court shall stand automatically vacated and the court below shall be free to proceed against the applicant in accordance with law.

8. With the aforesaid direction, this application under Section 482 CrPC is finally **disposed of**.

Order Date :- 5.12.2023

Nadim