

Court No. - 91

Case :- APPLICATION U/S 482 No. - 43155 of 2023

Applicant :- Raja Patel

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

Counsel for Applicant :- Devendra Pratap Singh

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

Heard learned counsel for the applicant and the learned AGA appearing for the State.

The present application has been filed by the applicant under Section 482 Cr.P.C. with the prayer to quash the order dated 30.10.2021, whereby learned Magistrate has issued N.B.W. against the applicant and order dated 9.10.2023, passed by C.J.M. Mirzapur in Case No.1517 of 2020, arising out of Case Crime No.135 of 2020, under Sections 41, 411, 413, 414, 419, 420 IPC, Police Station Kotwali Katra, District Mirzapur.

It is submitted by learned counsel for the applicant that for unavoidable circumstances, the applicant failed to appear before the court on the date fixed by the court and N.B.W. and process u/s 82 & 83 Cr.P.C. has been issued against the applicant and now the applicant desires to appear before the court.

In view of the above, application u/s 482 Cr.P.C. is disposed of with the direction to the applicant to move an application within a period of four weeks for cancellation of N.B.W. and process issued u/s 82 & 83 Cr.P.C., which shall be heard and decided by the court in accordance with law.

For a period of four weeks from today, effect and operation of the N.B.W. shall remain kept in abeyance.

Order Date :- 24.11.2023

m.a.