

Court No. - 91

Case :- APPLICATION U/S 482 No. - 43296 of 2023

Applicant :- Arvind Agnihotri

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

Counsel for Applicant :- Yadavendra Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

Heard Sri Vinod Kumar, learned counsel for the applicant and Sri G.P. Singh, learned A.G.A. for the State.

The present application has been filed with a prayer to set aside the impugned order dated 2.5.2022 passed by the Sessions Judge, Kanpur Dehat in Sessions Case No. 495 of 2022, arising out of Case Crime No. 56 of 2020, under Sections 420, 467, 468, 471, 272, 273, 504, 506 IPC and Section 63, 65 of the Copyright Act, P.S. Rasoolabad, District Kanpur Dehat.

Learned counsel for the applicant has prayed that the non bailable warrant which has been issued against him should be quashed which has been issued by the Sessions Judge, Kanpur Dehat in Sessions Case. No. 495 of 2022.

Learned A.G.A. has vehemently opposed the prayer of quashing of the non bailable warrant and has argued that the same has been issued by the trial court in order to secure the attendance of the accused-applicants.

In view of above, I see no reason to quash the non bailable warrant because it has been rightly issued by the trial court for procuring attendance of the accused-applicant before it as the trial is proceeding against the applicant.

Accordingly, prayer for quashing the non bailable was is refused.

However, it is directed that, in case, if the accused-applicant appears before the court below within 30 days and seeks cancellation of non-bailable warrant, the same would be disposed of in accordance with law. In case, the same is rejected and bail applications are moved, the same shall be disposed of in accordance with law. But if he does not appear before the court

below within that period, the court shall be at liberty to adopt coercive steps to secure his presence. For the period of 30 days, no coercive steps shall be taken against the applicant.

With the aforesaid direction, application u/s 482 Cr.P.C. is disposed of.

Order Date :- 28.11.2023

A.P. Pandey