

Court No. - 93

Case :- APPLICATION U/S 482 No. - 44377 of 2023

Applicant :- Tak Chand @ Take Chander Singh And Another

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

Counsel for Applicant :- Ankit Prakash

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicants- accused are aggrieved against the impugned order dated 31.05.1990 passed by Special Judge (D.D.A.) Banda, whereby they were summoned as an accused in the Complaint Case No.169 of 1989, titled Badri Prasad vs. Phool Chand and others filed by opposite party no.2 for alleged commission of offence punishable under Sections 452, 323, 147, 148, 149, 504, 506, 395, 397 IPC.

Learned counsel for the applicants submitted that the applicants being police officers remained engaged in official work and were transferred from one place to another, therefore, neither they were served effectively in the subject complaint nor they otherwise gathered any knowledge of the pendency of the case. He submits that recently the applicants came to learn about this case, therefore, they are approaching this Court under Section 482 Code of Criminal Procedure for quashing of the impugned order dated 31.05.1990, as well as the orders issuing non- bailable warrants against them.

Upon hearing the learned counsel and considering his stand, this Court finds that the applicants can avail the alternative remedy in accordance with law, therefore, this Court is not inclined to entertain this application under Section 482 Code of Criminal Procedure.

This application is dismissed.

Order Date :- 5.12.2023

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