

Court No. - 91

Case :- APPLICATION U/S 482 No. - 43803 of 2023

Applicant :- Madhurani

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

Counsel for Applicant :- Vijaya Shankar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

Heard counsel for the applicant, learned A.G.A for the State and perused the record.

This application under Section 482 Cr.P.C. has been filed to quash the non-bailable warrant orders dated 6.6.2023 and 4.7.2023 passed by learned Civil Judge (Junior Division) FTC-I, Bareilly as well as the entire proceeding of complaint case no.2039 of 2016, under sections 420, 467, 468, 471 I.P.C., P.S. Kotwali, District Bareilly.

The only submission raised by learned counsel for the applicants is that the court concerned vide orders dated 6.6.2023 and 4.7.2023 has issued non-bailable warrant for appearance of the applicant. It is submitted that without issuing summons the court has issued non-bailable warrant. Counsel for the applicants has urged that an opportunity be granted to the applicant to file an application for recall of the order issuing non-bailable warrant.

Learned AGA has no objection to the said prayer.

The prayer for quashing the entire proceeding of criminal case arising out of charge-sheet is refused. However, it is provided that if the applicant file an application for recall of the order issuing non-bailable warrant within one month from today, the said application shall be considered by the court concerned and appropriate order shall be passed expeditiously.

For a period of one month, no coercive action shall be taken against the applicant.

In the event of failure, on the part of the applicant to act within time as directed above, the court concerned may adopt all coercive measures to ensure the appearance.

With the aforesaid observations, this application is finally disposed of.

Order Date :- 30.11.2023

SFH