

Court No. - 93

Case :- APPLICATION U/S 482 No. - 44095 of 2023

Applicant :- Sarita And 12 Others

Opposite Party :- State of U.P.

Counsel for Applicant :- Virendra Kumar Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicants being accused have approached this Court through this application under Section 482 Code of Criminal Procedure seeking quashing of the entire proceedings of Case No. 281 of 2020 (State vs. Panna Lal and others) arising out of Case Crime No. 0233 of 2018, under Sections 427, 506, 147, 323, 504 IPC, Police Station Badlapur, District Jaunpur as well as the cognizance order dated 20.05.2020 passed by the Additional Civil Judge (J.D.), Jaunpur and the proceedings arising therefrom.

Learned counsel for the applicants, during the course of hearing, has stated that there is no formal service of summons upon the applicants as issued by the Court, therefore, the petition contains the delay of more than 3 & 1/2 years in challenging the criminal proceedings arising out from Case Crime No. 0233 of 2018, under Sections 427, 506, 147, 323, 504 IPC, Police Station Badlapur as well as the cognizable order dated 20th May, 2020. He fairly states that he came to learn about these proceedings from the police official who visited their house for service of summons.

The above stand makes it clear that the applicants are well aware of the proceedings initiated against them by the informant, who is no more and have been closely monitoring the proceedings but never participated much less by appearing before the Trial Court.

Considering the above conduct of the applicants as well as the delay in approaching this Court, this Court is not inclined to exercise inherent powers under Section 482 Cr.P.C. as the issues raised in this petition can be effectively pressed by them at the stage of the consideration of the final report.

The application under Section 482 Cr.P.C. is dismissed.

Order Date :- 11.12.2023

Brijesh