

Court No. - 86

Case :- APPLICATION U/S 482 No. - 45136 of 2023

Applicant :- Munesh And 4 Others

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

Counsel for Applicant :- Sandhya Singh, Kapil Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. This application under Section 482 Cr.P.C. has been filed for quashing the order dated 26.9.2023 passed by the Chief Judicial Magistrate, Bulandshahr issuing non bailable warrant against the applicants in Complaint Case No. 1842 of 2017 (Amarjeet Vs. Munesh and others), under Sections 147, 149, 302, 506 IPC, P.S. Dibai, District- Bulandshahr.
3. From the record, it transpires that on account of the failure of the applicants to appear before the court below, non bailable warrant has been issued against the applicants by the court below vide order dated 26.9.2023.
4. Learned counsel for the applicants submits that interest of justice shall be served provided some protection is granted by this Court to enable the applicants to appear before the court below.
5. Considering the facts and circumstances of the case, it is provided that the applicants shall appear before the court concerned within three weeks and move an application for cancellation of the non bailable warrant, the same be considered and disposed of expeditiously in accordance with law.
6. For a period of three weeks, the execution of non bailable warrant issued against the applicants shall remain stayed.
7. In case of default, the interim protection granted by this Court shall stand automatically vacated and the court below shall be free to proceed against the applicants in accordance with law.
8. With the aforesaid direction, the application is finally disposed of.

Order Date :- 12.12.2023

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