

**Court No. - 93**

**Case :-** APPLICATION U/S 482 No. - 45377 of 2023

**Applicant :-** Pramod

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

**Counsel for Applicant :-** Rakesh Kumar Soni

**Counsel for Opposite Party :-** G.A.

**Hon'ble Manoj Bajaj,J.**

Applicant has filed this application under Section 482 Code of Criminal Procedure for quashing the order dated 28.3.2023 issuing non-bailable warrants against the applicant as well as entire proceedings of Criminal Case No. 954 of 2017; titled State vs. Pramod, arising out of Case Crime No. 506 of 2016, registered under Section 504 and 506 IPC, Police station Thakurdwara, District Moradabad.

Learned counsel for the applicant has prayed for quashing of the impugned order dated 28.3.2023 passed by the Judicial Magistrate, Thakurdwara, District Moradabad on the ground that the applicant was not aware of this proceeding and the summons were never effectively served upon him as he is working in Mumbai.

During the course of hearing, it is not disputed by the learned counsel that the address of the applicant given in the case is correct and his family still resides there.

Considering the submissions of the learned counsel for the applicant, this Court does not find any merit in this application as the applicant being aware of the pending criminal proceedings has made no effort to put in appearance before the court, therefore, the trial court is justified in issuing warrants against him to secure his presence. Apart from this, the challenge is laid to the order dated 28th March, 2023 only whereas the warrants issued on the said date were alive till 3rd June, 2023. The subsequent orders

issuing non-bailable warrants against the applicant have not been challenged.

Therefore, this Court is not inclined to exercise inherent powers under Section 482 Cr.P.C.

Dismissed.

**Order Date :- 13.12.2023**

Brijesh