

ITEM NO.19 Court 14 (Video Conferencing) SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 8790/2021

(Arising out of impugned final judgment and order dated 31-08-2021 in A482 No. 5416/2021 passed by the High Court Of Judicature At Allahabad)

ANKIT

PETITIONER(S)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

RESPONDENT(S)

(FOR ADMISSION and I.R. and IA No.148436/2021-EXEMPTION FROM FILING O.T.)

Date : 29-11-2021 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. N.K. Modi Sr.Adv.
Mr. Randhir Kumar Ojha, AOR
Mr. Prabuddha Singh Gour, Adv.
Mr. Purushottam Sharma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Learned Counsel for the petitioner has tried to persuade this Court that the order summoning him under Section 319 of the Code of Criminal Procedure by the Ld. Trial Judge dated 19.03.2020 which has been confirmed by the High Court on dismissal of the proceedings initiated under Section 482 of the Code at his instance by an order dated 31.08.2021 requires interference by this Court. However, when fail to persuade, submits that at least the non-bailable warrants which have been issued in the first instance in

summoning the petitioner by the Ld.Trial Judge by the order dated 19.03.2020 deserved indulgence of this Court.

We consider it appropriate to observe that let the petitioner appear and record his presence before the Ld.Trial Court within a period of four weeks from today, the non-bailable warrants issued pursuant to the order dated 19.03.2020 shall remain in abeyance and the Court may proceed further with the trial after recording presence of the petitioner in accordance with law. If he fails to appear and surrender before the Trial Court within a period of four weeks, the respondent will be at liberty to proceed further thereafter through the non-bailable warrants in terms of order dated 19.03.2020.

With these observations, the Special Leave Petition stands disposed of.

Pending application(s), if any, shall stand disposed of.

(POOJA SHARMA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)