

**Court No. - 29**

**Case :-** APPLICATION U/S 482 No. - 9515 of 2024

**Applicant :-** Shadab Khan

**Opposite Party :-** State Of U.P. Thru. Secy. Home Deptt. Lko  
And Another

**Counsel for Applicant :-** Vineet Kumar Mishra

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

**Hon'ble Subhash Vidyarthi,J.**

1. Heard Sri Vineet Kumar Mishra, the learned counsel for the applicant, Sri Jai Prakash, the learned A.G.A. for the State and perused the records.

2. By means of the instant application filed under Section 528 B.N.S.S. 2023 the applicant has sought quashing of charge sheet no.18/20 dated 24.03.2012 submitted in furtherance of Case Crime No.235 of 2011, under Sections 363, 366 I.P.C. Police Station Mallawan, District Hardoi. The applicant has also sought quashing of order dated 08.02.2013, passed by the learned Additional Chief Judicial Magistrate-II, Hardoi in Case No.738 of 2015.

3. The submission of the learned counsel for the applicant is that the victim of the case has gone missing and a public notice in this regard has been published and, therefore, conclusion of trial on merits will not be possible.

4. The victim having gone missing is no ground to quash the proceedings instituted by her particularly when after investigation the allegations levelled in the F.I.R. have been established. The charge sheet was submitted way back in the year 2012 and the summoning order was passed in the year

2013 and there is absolutely no explanation for the delay in filing the application.

5. In view of the aforesaid discussion, the application is **dismissed.**

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**[Subhash Vidyarthi, J.]**

**Order Date :- 25.10.2024**

Ram.