

Court No. - 46

Case :- CRIMINAL APPEAL No. - 1410 of 1988

Appellant :- Smt. Bishan Devi

Respondent :- State Of U.P.

Counsel for Appellant :- Virendra Saran

Counsel for Respondent :- D.G.A.

Hon'ble Naheed Ara Moonis,J.

Hon'ble Shashi Kant,J.

In compliance of the order dated 27.2.2018, the report of the Chief Judicial Magistrate, Firozabad, dated 18.7.2018, has been received. According to which, appellant Smt. Bishan Devi is not residing with her husband since last 30 years, hence her whereabouts is not known.

In this view of the matter, the Chief Judicial Magistrate as well as S.S.P. Firozabad are directed to initiate proceeding under section 446 Cr.P.C. against the sureties of the appellant Smt. Bishan Devi in accordance with law. The S.S.P., concerned is also directed to depute a police officer not below the rank of the Deputy S.P. to trace out the whereabouts of the appellant. In case the appellant is arrested, he shall be produced before the Chief Judicial Magistrate, concerned who shall be released with an undertaking that she shall appear before the Court on the next date fixed.

The Chief Judicial Magistrate, concerned shall ensure the presence of the appellant Smt. Bishan Devi on the next date of listing.

In case the appellant Smt. Bishan Devi is not surviving, the Chief Judicial Magistrate, concerned shall send report as per circular of this Court by the next date of listing.

Let the case be listed in the week commencing 1.10.2018 before the appropriate Bench along with the compliance report.

The office is directed to transmit the photocopy of the sureties of the appellant Smt. Bishan Devi to the court below for the execution of the order.

A copy of this order with full particulars be sent through FAX to the Chief Judicial Magistrate concerned forthwith for communication and necessary compliance.

Copy of this order be also supplied to the learned A.G.A. forthwith for necessary compliance.

Order Date :- 31.8.2018

M. Tariq