

Court No. - 88

Case :- APPLICATION U/S 482 No. - 28177 of 2023

Applicant :- Mohan

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

Counsel for Applicant :- Anil Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

By means of this application under Section 482 Cr.P.C., applicant has prayed for recall of order dated 11.09.2018 passed by learned Family Court, Agra in Criminal Case No. 404 of 2016 (*Smt. Mithlesh and others vs. Manoj*), under Section 125 Cr.P.C., Police Station Kheragarh, District Agra.

At the outset, learned counsel for the applicant submits that in this case, in the proceeding under Section 125 Cr.P.C. initiated by the opposite party no. 2, an ex-parte order was passed on 11.09.2018, therefore, applicant is willing to move an appropriate application under Section 126(2) Cr.P.C. for recall of the said order, as such, he does not want to press this application and may be allowed to withdraw this application with liberty to seek appropriate remedy available to him.

Learned A.G.A. has no objection to such prayer.

Accordingly, the instant application is dismissed as not pressed with the aforesaid liberty.

Order Date :- 2.11.2023

Saurabh