

Court No. - 89

Case :- APPLICATION U/S 482 No. - 32377 of 2023

Applicant :- Anoop Yadav And 2 Others

Opposite Party :- State Of U.P.And 4 Others

Counsel for Applicant :- Vaibhav Yadav, Phool Singh Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard Sri P. S. Yadav, learned counsel for the applicants and learned A.G.A. for the State.
2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the impugned notice dated 31.05.2023 issued by opposite party No.3, Assistant Commissioner of Police/Special Executive Magistrate, Commissionerate, Naubasta, Kanpur Nagar, under Sections 107 and 111 Cr.P.C., District Kanpur Nagar.
3. Learned counsel for the applicants submitted that the proceedings under Sections 107 and 111 Cr.P.C. is without following the provisions provided under Sections 107 and 111 of the Act. Order passed on 31.05.2023 by opposite party No.3 is illegal. Notices issued with *mala fide* intention and only to harass the applicants. Notices issued against the applicants are without conducting the enquiry and investigation.
4. In view of the aforesaid facts and circumstances of the case and keeping in view the substance of allegation made against the applicants which has not shown in show cause notice, is vague and bogus, therefore, the same is hereby quashed. It shall be open to the authority concerned to issue fresh notices to the applicants, if necessary.
5. With the aforesaid direction, the present 482 application is **disposed off.**

Order Date :- 13.12.2023

Nitin Verma