

Court No. - 88

Case :- APPLICATION U/S 482 No. - 32459 of 2023

Applicant :- Shankar Lal Keserwani And 6 Others

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

Counsel for Applicant :- Sunil Kumar

Counsel for Opposite Party :- G.A.,Mahesh Kumar

Hon'ble Sanjay Kumar Singh,J.

1-This application under Section 482 Cr.P.C. has been filed by the applicants to quash the impugned summoning order dated 24.07.2023 as well as proceedings of Criminal Case No. 200 of 2023 (State of U.P. Vs. Alok Kesarwani and others) arising out of Case Crime No. 35 of 2023, under Sections 279, 323, 504, 506, 147 I.P.C. and Sections 3(2)Va, 3(1) Dha of SC/ST Act, Police Station-Paschim Sharira, District-Kaushambi, pending in the court of Special Judge (S.C./S.T. Act), Kaushambi.

2-At the outset, learned A.G.A. as well as learned counsel for opposite party no.2 raised a preliminary objection that in view of Section 14(A) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Full Bench judgment of this Court in the case of **Satyendra and another vs. State of U.P., 2018 (10) ADJ 634**, the instant application is not maintainable.

3-In response, learned counsel for the applicants submits that the applicants do not want to press this application and they may be permitted to withdraw this application with liberty to file a statutory appeal under Section 14(A) of S.C./S.T. Act.

4-Accordingly, the instant application is dismissed as withdrawn with the aforesaid liberty.

5-Office is directed to return the certified copy of the documents, if any, to the counsel for the applicants within a week after retaining the photostat copy of the same on record.

Order Date :- 2.11.2023

Kashifa