

Court No. - 87

Case :- APPLICATION U/S 482 No. - 33850 of 2023

Applicant :- Shailendra Singh Sikarwar@ Shailu

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

Counsel for Applicant :- Sandeep Pandey, Anamika Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari, J.

1. Heard learned counsel for applicants and learned A.G.A. for State.

2. This application under Section 482 Cr.P.C. has been filed seeking quashing the charge sheet dated 07.10.2022 and summoning order dated 15.10.2022 as well as entire criminal proceedings of Case No. 12559 of 2022 (State Vs. Shailendra Sikarwar), arising out of Case Crime No. 155 of 2021, under sections 379, 34 I.P.C., P.S. -Lohamandi, District- Agra.

3. After some argument, learned counsel for the applicants submitted that he does not want to press this application for the relief prayed and further requested that applicants may be given liberty to move discharge application under the provisions of Cr.P.C. before the trial Court and trial Court may be directed to decide the discharge application expeditiously within a period as fixed by this Court.

4. Learned A.G.A. has not objected the submission made by learned counsel for the applicants.

5. Considering the request of the applicants and in view of the entirety of facts and circumstances of the case, it is provided that if the applicants appear and move an appropriate application for discharge under the provisions of Cr.P.C. before the trial Court within two weeks from the date of receipt of a certified copy of this order then the application of the applicants shall be considered and decided expeditiously preferably within a period of three months from the date of filing of discharge application in accordance with law after providing opportunity of hearing to other side.

6. Accordingly, the present application is **disposed of**.

Order Date :- 1.11.2023/Sartaj