

**Court No. - 88**

**Case :-** APPLICATION U/S 482 No. - 34596 of 2023

**Applicant :-** Sanjay Kumar Verma

**Opposite Party :-** State Of U.P.And 2 Others

**Counsel for Applicant :-** Mahendra Ram Maurya

**Counsel for Opposite Party :-** G.A.

**Hon'ble Sanjay Kumar Singh,J.**

1-The instant application under Section 482 Cr.P.C. has been preferred by the applicant against the confiscation order dated 03.07.2023 passed by District Magistrate, Ballia regarding Tata Magic Vehicle No. UP60AT7069 in the confiscation proceeding bearing Case No. 675 of 2022, Computer Case No. D202215090000675 (State Vs. Sanjay Kumar Verma) arising out of Case Crime No. 62 of 2022, under Sections 3/5A/8 of U.P. Prevention of Cow Slaughter Act, 1955 and Section 11 of Prevention of Cruelty to Animals Act, 1960 as well as order dated 16.08.2023 passed by Session Judge, Ballia in Criminal Revision No. 137 of 2023 (Sanjay Kumar Verma vs. State of U.P. and another), whereby Criminal Revision preferred by the applicant against the order dated 03.07.2023 has been rejected.

2-At the outset, learned Additional Government Advocate for the State has raised a preliminary objection that in view of notification dated 14.02.2023 issued by the State Government of Uttar Pradesh regarding the validity of proceedings or order passed under Section 5A of Uttar Pradesh Prevention of Cow Slaughter Act, 1955 remedy is available before the Commissioner.

3-In response, learned counsel for the applicant submits that applicant does not want to press this application, therefore, he may be allowed to withdraw this application with liberty to avail an appropriate remedy available to him under the law.

4-In view of the statement made by Mr. Mahendra Ram Maurya, learned counsel for the applicant at the

Bar, the instant application is dismissed as withdrawn with the aforesaid liberty.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 applicant within ten days after retaining photocopies of the same on record.

**Order Date :-** 28.11.2023

Kashifa