

Court No. - 88

Case :- APPLICATION U/S 482 No. - 36372 of 2023

Applicant :- Sandeep Tiwari

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

Counsel for Applicant :- Ashwini Kumar Ojha

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

Heard learned counsel for the applicant, learned Additional Government Advocate representing the State and perused the materials available on record.

This application under Section 482 Cr.P.C. has been filed by the applicant to quash the charge-sheet dated 13.08.2023, cognizance order dated 16.08.2023 and proceedings of Criminal Case No. 15555 of 2023 (State Vs. Sandeep Tiwari and others) arising out of Case Crime No. 0191 of 2023, under Sections 419, 420, 467, 468, 471, 120B IPC, Police Station Kotwali, District Jhansi pending in the court of Chief Judicial Magistrate, Jhansi.

After advancing some argument at length, learned counsel for the applicant submitted that since the applicant has already been granted bail in this case vide order dated 13.07.2023 passed in Criminal Misc. Bail Application No. 29410 of 2023, therefore, he may be permitted to move a discharge application before the court concerned raising his objection. Learned counsel for the applicant also submitted that he is not pressing any further relief as claimed by applicant by means of this application.

Learned A.G.A. for the State of U.P. submits that in case the applicant is not pressing the relief as sought for by him on merits and wants to move discharge application, he has no objection.

Accordingly the relief as sought by the applicant in the instant application is refused.

In view of the above, considering the request of the applicant, it is directed that in case the discharge application is moved by the applicant before the court concerned at the appropriate stage, the same shall be decided by the court concerned by speaking order in accordance with law.

With the aforesaid observation, the present application is disposed of.

Order Date :- 23.11.2023
Shubham