

Court No. - 78

Case :- APPLICATION U/S 482 No. - 38136 of 2023

Applicant :- Vijay Shankar

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

Counsel for Applicant :- C.B.Dubey,Rakesh Pati Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

1. This application under Section 482 Cr. P. C. has been filed by the applicant for quashing of entire proceedings, including chargesheet, of Special Trial No. 328 of 2023 (State Versus Chandra Bhushan Upadhyay and others), arising out of Case Crime No. 142 of 2018, under Sections-409, 419, 420, 467, 468, 471, 120B and 34 I. P. C. and Section-13 (2) of Prevention of Corruption Act, Police Station-Kachhawa, district-Mirzapur, pending in the Court of Special Judge (Prevention of Corruption Act), Court No. 2, Varanasi.

2. Heard learned counsel for the applicant, learned A. G. A. for the State and perused the record.

3. After arguing at some length, learned counsel for the applicant submits that he is not pressing this application on merits and the applicant may be provided an opportunity to move an application for discharge before the trial Court and this application under Section 482 Cr. P. C. may be disposed of accordingly.

4. In view of aforesaid, this application under Section 482 Cr. P. C. is disposed of finally with the direction that in case, the applicant moves an application for discharge within a period of four weeks from today before the trial Court, the same shall be considered and

decided expeditiously in accordance with law.

5. Application stands disposed of accordingly.

Order Date :- 26.10.2023

HR