

Court No. - 89

Case :- APPLICATION U/S 482 No. - 37700 of 2023

Applicant :- Pradeep Kumar Verma And 3 Others

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

Counsel for Applicant :- Jai Prakash Singh,Raj Kiran Chaudhary

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicants, learned A.G.A. for the State and perused the record.
2. The present 482 Cr.P.C. application has been filed to quash the impugned notice dated 04.09.2023 passed by Vishesh Karyapalak Magistrate/Sahayak Police Ayukat, Police Line-II, Mahangriya Kshetra, Varanasi in Case No.2519 of 2023 (State vs. Pradeep Kumar Verma & others), under Section 107/116 Cr.P.C, Police Station Sagra, District Varanasi.
3. Learned counsel for the applicants has challenged the notice under section 111 Cr.P.C. dated 04.09.2023 by which show cause notice has been issued under section 107/116 Cr.P.C. Learned counsel for the applicants submits that proceeding initiated under section 107/116 Cr.P.C. is bad in the eye of law and has not followed the mandatory provision provided in Cr.P.C. Issuance of notice under section 111 Cr.P.C. is illegal and arbitrary.
4. In view of the aforesaid facts and circumstances of the case and keeping in view the substance of allegation made against the applicants which has not shown in the show-cause notice is vague and bogus, therefore, the same is hereby quashed.
5. It shall be open to authority concerned to issue fresh notice to the applicants, if necessary.
6. With the aforesaid direction, this Application u/s 482 Cr.P.C. is, accordingly, **disposed of.**

Order Date :- 2.12.2023

SKD