

Court No. - 85

Case :- APPLICATION U/S 483 No. - 1240 of 2023

Applicant :- Chandra Mohan Upadhyay

Opposite Party :- Matambar Upadhyay And 4 Others

Counsel for Applicant :- Rohit Singh

Counsel for Opposite Party :- G.A.

Hon'ble Mayank Kumar Jain,J.

1. Heard learned counsel for the applicant, learned A.G.A for the State and perused the record of the case.
2. This application under Section 483 Cr.P.C. has been filed by the applicant with a prayer to direct the learned court of Addl. Civil Judge (Jr. Division), Court No. 14, Allahabad to decide the Criminal Case No. 1449 of 2022 (State of U.P Vs. Matambar Upadhyay and others), under Sections 452, 323, 504, 506, 427, 325, 308 of I.P.C relating to Case Crime No. 477 of 2020, Police Station Meja, District Prayagraj.
3. Offence under Section 308 I.P.C is exclusively triable by the Court of Sessions.
4. The prayer made by appellant is not acceptable, therefore, this application is rejected.
5. However, applicant is given liberty to file a fresh application with correct prayer.
6. With the aforesaid observations, this application under Section 482 Cr.P.C is **disposed of**.

Order Date :- 3.11.2023

PS