

Court No. - 87

Case :- APPLICATION U/S 482 No. - 40769 of 2023

Applicant :- Amit Goel

Opposite Party :- State of U.P.

Counsel for Applicant :- Faizan Siddiqui

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Supplementary affidavit filed today, is taken on record.

2. Heard Sri Satish Trivedi, learned senior counsel assisted by Sri Faizan Siddiqui, learned counsel for applicant and learned A.G.A. for State.

3. This application under Section 482 Cr.P.C. has been filed seeking quashing the charge sheet dated 18.7.2017 and cognizance order dated 18.7.2017 as well as entire criminal proceedings of S.T. No. 768 of 2022 (State Vs. Arvind Bind and others), arising out of Case Crime No. 159 of 2017, under sections 395, 412 I.P.C., P.S. Daraganj, District- Allahabad pending before Additional District & Session Judge, Court No. 14, Allahabad.

4. Learned AGA submitted that earlier applicant has approached District Magistrate, Agra by filing an application for release of vehicle, which was rejected vide order dated 10.05.2023. Against which, he has preferred Civil Appeal No. 320 of 2023, which is still pending for adjudication. He next submitted that in light of this fact, there is no illegality or infirmity in the impugned order dated 7.10.2023 passed by Additional Session Judge/ Special Judge (SC/ST Act) in Criminal Revision No. 13/2023 as well as order dated 23.12.2023 passed by A.C.J.M.- 3, Agra in case crime no. 413 of 2022 as it is on the ground of maintainability and jurisdiction.

5. Learned counsel for the applicant could not dispute the aforesaid fact and requested that a direction may be issued to District Judge, Agra to decide the appeal at the earliest.

6. Accordingly, the present application is **disposed of** with direction to District Judge, Agra to decide the Civil Appeal No. 320 of 2023 expeditiously, maximum within a period of three months from the date of production of certified copy of this order.

Order Date :- 7.12.2023

Arvind