

Court No. - 87

Case :- APPLICATION U/S 482 No. - 39911 of 2023

Applicant :- Meharban

Opposite Party :- State of U.P.

Counsel for Applicant :- Sayyed Kashif Abbas Rizvi

Counsel for Opposite Party :- G.A.

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.

2. The present 482 Cr.P.C. application has been filed praying for quashing the summoning order dated 29.09.2023 passed by the Chief Judicial Magistrate, Gyanpur Bhadoshi as well as proceedings of Section 82 and 83 Cr.P.C. dated 10.07.2023 in Case No.1177 of 2012 (State vs. Nadeem & Others) arising out of Case Crime No.93 of 2012, under Section 307 I.P.C., Section 3/5A/8 of Cow Slaughter (Prevention) Act and Section 48, 49, 50, 52, 54 and 56 of Transportation Act, Police Station Aurai, District Sant Ravidas Nagar.

3. After some argument learned counsel for the applicant submitted that proceeding under Sections 82 and 83 Cr.P.C. has been issued by the trial against the applicant vide order dated 10.07.2023. He next submitted that and he does not want to press this application, therefore this application may be dismissed as not pressed with certain protection to enable him to file application for recalling of the order dated 10.07.2023.

4. In view of facts and circumstances of the case, the application is dismissed as not pressed. It is directed that if the applicant moves an application for recalling the order dated 10.07.2023 before the court below within fifteen days from today, his prayer for recalling the same shall be considered and decided in accordance with law.

5. For a period of fifteen days from today, the proceeding under Sections 82 and 83 Cr.P.C. issued against the applicant shall be kept in abeyance.

6. The present application stands **disposed of**.

Order Date :- 24.11.2023

Amit/-