

Court No. - 92

Case :- APPLICATION U/S 482 No. - 41636 of 2023

Applicant :- Vipin Kumar Rai

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

Counsel for Applicant :- Vinay Kumar Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Vinay Kumar Pandey, learned counsel for the applicant and Sri Prashan Saxena, learned AGA for the State.
2. The instant application has been filed seeking direction to the Sessions Judge, Varanasi to permit the applicant to deposit the amount of fine imposed upon the applicant under Section 138 of the Negotiable Instrument Act vide judgment and order dated 23.11.2022 passed by the Additional Court, Varanasi as per the provisions of Section 148 Negotiable Instrument Act and the order dated 25.09.2023 passed by the learned Sessions Judge in Criminal Appeal No. 181 of 2003.
3. After some arguments, learned counsel for the applicant seeks to withdraw the instant application with liberty to contest the appeal in accordance with law.
4. In view thereof, the instant application is **dismissed** as withdrawn with liberty as prayed.

Order Date :- 5.12.2023

Ashish Pd.