

Court No. - 91

Case :- APPLICATION U/S 482 No. - 41560 of 2023

Applicant :- Guddu Singh @ Pradyum Kumar Singh And Another

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

Counsel for Applicant :- Shri Prakash Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

Heard learned counsel for the applicants and learned A.G.A. for the State.

The instant application under Section 482 Cr. P.C. has been filed by the applicants with the prayer to quash the order dated 20.10.2023 passed by Additional Sessions Judge, Court No.1, Mirzapur in Session Trial No. 179A of 1986 (State Vs. Guddu Singh alias Pradyum Kumar) arising out of Case Crime No. 16 of 1986, under Sections 302, 201 I.P.C., Police Station Ghorawal, District Mirzapur.

Learned counsel for the applicants submits that there is no compliance of Section 207 Cr. P.C., an application was moved before the Court of learned Additional Session Judge to the effect that they are summoned for framing of the charges, but C.D. is not available on record without which they are at a loss to know and understand what is case against them but the same has been rejected without considering the above mentioned facts.

Learned A.G.A. however, opposed the prayer and submitted that from the perusal of the impugned order, it is apparent that in the application moved by the applicants, there is no disclosure that the compliance of Section 207 Cr. P.C. has not been made.

In view of the above, the application is disposed off with a direction to the applicants to move a fresh application before the court concerned within a period of two weeks from today regarding compliance of Section 207 Cr. P.C., which shall be heard and decided by the court concerned in accordance with law.

With the aforesaid observation, the application under Section 482 Cr. P.C. is disposed of.

Order Date :- 29.11.2023

T.S.