

Court No. - 89

Case :- APPLICATION U/S 482 No. - 41508 of 2023

Applicant :- Shikhar Bhandari

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Pankaj Kumar Rai, Sandeep Maniji
Bakhshi

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. The present 482 Cr.P.C. application has been filed to quash the order dated 21.10.2020 passed by learned Chief Judicial Magistrate, Azamgarh, under Section 83 Cr.P.C. and consequential warrant of attachment dated 09.12.2020 passed by Assistant Collector / SDM as well as entire proceedings of Case Crime No.309 of 2019, under Sections 419, 420, 467, 468, 471, 406, 506 and 120-B IPC, Police Station Kotwali, District Azamgarh.
3. Applicant has challenged the impugned order dated 09.12.2020 after three years by which proceeding under Section 83 Cr.P.C. has been initiated. No charge sheet has been submitted. By Division Bench of this Hon'ble Court, entire criminal proceeding has been quashed against the applicant as term of settlement exercised during mediation proceeding.
4. Considered the argument raised by counsel for the applicant and from where it comes out that no criminal proceeding is pending against the applicant and this Court has no jurisdiction to entertain the 482 Cr.P.C. application. Applicant can raise all these facts before Assistant Collector / SDM.
5. In view of the above, the present 482 application is not maintainable, as such, no interference is warranted, at this stage.
6. The present 482 application is **dismissed** with the aforesaid observation.

Order Date :- 8.11.2023

I.A.Siddiqui