

Court No. - 91

Case :- APPLICATION U/S 482 No. - 42589 of 2023

Applicant :- Vijay Ram @ Vijay Kant And 2 Others

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Ram Bali Ram

Counsel for Opposite Party :- G.A.

Hon'ble Gajendra Kumar,J.

1. Heard Sri Ram Bali Ram, learned counsel for the applicants, learned A.G.A. for the State and perused the record.

2. This application under Section 482 Cr.P.C. has been filed by the applicants with the prayer to quash the entire proceedings of S.S.T. No. 528 of 2020 (State Versus Vijay Kant and others) under Sections 323, 504 I.P.C. against the applicant nos.1 and 2, under Sections 323, 504 354 & Section 7/8 POCSO Act, against the applicant no.3, in Case Crime No. 0289 of 2020, under Sections 323, 504, 354 I.P.C. & Section 7/8 POCSO Act, Police Station Zamania, District Ghazipur as well as impugned charge sheet no. 285 of 2020 dated 15.10.2020, the cognizance/summoning order dated 03.11.2020 and N.B.W. dated 28.09.2022.

3. It is submitted by the learned counsel for the applicant that the F.I.R. was lodged on the basis of false facts and also on the basis of malice. .

4. On the other hand, learned AGA has opposed the prayer.

5. Having regard to the facts and circumstances of the case, after perusing the entire record and having considered the submissions made by the learned counsel for the parties, I am of the view that no case is made out to interfere with the impugned order. Further, the plea raised before this Court would require leading of evidence, which can be raised before the court concerned at the appropriate Stage. Hence, the prayer made in the present application is refused.

6. Hence, it is directed that in case the applicant moves an application for bail within four weeks from today, the same shall be considered and decided in view of the settled law. For a period of four weeks from today, no coercive action shall be taken against

the applicants.

7. With the above observations, the application stands **disposed of**.

Order Date :- 22.11.2023

Imtiyaz