

Court No. - 93

Case :- APPLICATION U/S 482 No. - 42660 of 2023

Applicant :- Yadvendra Singh @ Arvind

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

Counsel for Applicant :- Mukul Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Applicant being accused has approached this Court through this application under Section 482 Code of Criminal Procedure seeking quashing of the Charge Sheet dated 16.10.2021, cognizance order dated 22.10.2021 passed by Additional Chief Judicial Magistrate, Court No.3, Aligarh and the proceedings of Case No. 893 of 2021, titled State Vs. Yadvendra Singh @ Arvind, arising out of Case Crime No. 106 of 2021, under Sections 494, 341, 504, 506 I.P.C., Police Station Harduaganj, District Aligarh.

Learned counsel for applicants has submitted that the case against the applicant is false, therefore, the impugned charge sheet deserves to be quashed. He prays that during the pendency of the application, the proceedings before the trial court be stayed.

During the course of hearing, when learned counsel for applicant was confronted with the delay in approaching this Court as the cognizance order was passed on 22.10.2021, he is unable to offer any explanation.

At this stage, learned A.G.A. has submitted that after passing of the cognizance order, the accused has not submitted himself before the trial court and bailable warrants have been issued against him to secure his presence. Learned A.G.A. has further pointed out that the charges in the case are yet to be framed.

Considering the above background, particularly the conduct of the applicant, who is delaying the trial proceedings, this Court is not inclined to entertain the application as alternatively the grounds raised in this application can also be effectively raised by him at the stage of consideration of the final report.

Thus, the application is dismissed.

Order Date :- 22.11.2023
P.S.Parihar