

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43002 of 2023

Applicant :- Azadar Husain And 3 Others

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

Counsel for Applicant :- Zaheer Abbas Naqvi, Mirza Ali Zulfaqar

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj, J.

1. The applicants being accused in Case No. 2924 of 2023, arising out of Case Crime No. 388 of 2020 has challenged the second chargesheet filed on 10.11.2020 as well as cognizance order dated 6.4.2023.

2. Learned counsel for the applicants submits that pursuant to the investigation in Case Crime No. 388 of 2020, the chargesheet was initially filed on 10.11.2020 for alleged commission of offences punishable under Sections 427, 323, 504 and 506 I.P.C. and considering the same the trial court passed the cognizance order on 11.1.2023. He further submits that in response to the said order the applicants appeared before the court and were granted regular bail.

3. Subsequently, identical chargesheet bearing same date as contained in the chargesheet filed on 10.11.2020 was again filed before the same court on 6.4.2023 and upon the said second chargesheet again cognizance order was passed on 6.4.2023. He submits that the second chargesheet has been submitted without any reason, which is apparently meaningless.

4. Upon considering the submissions of learned counsel for the applicants, it seems to be a mistake committed by the Investigating Officer who filed the second chargesheet, which according to applicants is similar to the earlier one, therefore, in this regard the

applicants can move an application for seeking correction of this mistake before the trial court.

5. With these observations, the petition is disposed of.

Order Date :- 23.11.2023

Faridul