

Court No. - 93

Case :- APPLICATION U/S 482 No. - 43108 of 2023

Applicant :- Jay Nath Pandey And 6 Others

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

Counsel for Applicant :- Chandra Prakash Pal, Arya
Suman Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj, J.

The applicants by means of this application under section 482 Cr.P.C. have invoked the inherent powers of this Court with prayer to quash the entire proceedings of Case No. 10090 of 2020, title (State vs. Jay Nath Pandey and others), arising out of Case Crime No. 09 of 2020, under sections 147, 323, 504, 149, 336, 308 and 506 I.P.C., P.S. Chaubeypur, district- Varanasi, as well as impugned chargesheet dated 13.2.2020 and cognizance orders dated 5.6.2020 and 10.11.2023.

During the course of argument, it is not disputed that in the alleged occurrence both the sides have sustained injuries and both the parties have lodged FIRs against each other. The claim of the applicants that the case against them is false, cannot be adjudicated at this stage as the allegations pertain to offences against the human body, therefore, this Court is not inclined to exercise the inherent powers under section 482 Cr.P.C. However, it is open to the applicants to raise these grounds before the trial court at the appropriate stage.

The application is dismissed.

Order Date :- 24.11.2023

Faridul