

Court No. - 89

Case :- APPLICATION U/S 482 No. - 43252 of 2023

Applicant :- Subhash And Another

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

Counsel for Applicant :- Udayveer Singh, Virendra Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. This application under Section 482 Cr.P.C. has been filed by the applicants to quash the order dated 23.05.2022 passed by the Sub Divisional Magistrate, Bansi, Siddharth Nagar in Case No. 2845 of 2022 (Computerized Case No. T202217630202845) (Ram Ujagir and Another Vs. Subhash and Another), under Section 145 Cr.P.C., Police Station- Khesaraha, District- Siddharth Nagar.
3. Counsel for the applicants submits that the Sub Divisional Magistrate vide his order dated 23.05.2022 has passed an order of status quo in proceedings under Section 145 Cr.P.C. He next submits that order dated 23.05.2022 is an ex-parte order and passed without hearing the applicants. He next submits that applicants have also filed objection on 23.05.2022 and more than one and half year have been passed but proceedings under Section 145 Cr.P.C. have not been decided.
4. Per contra, learned A.G.A. opposed the submissions raised by counsel for the applicants.
5. Considered the submissions raised by counsel for the applicants and perused the entire record.
6. Without expressing any opinion on the merits of the case, this application is finally **disposed of** with a direction to the court below i.e. learned Sub Divisional Magistrate, Bansi to decide the proceedings under Section 145 Cr.P.C. in accordance with law after giving proper opportunity of hearing to both the parties, as expeditiously as possible, preferably within a period of four months from the date of production of a certified copy of this order, if there is no other legal impediment.

Order Date :- 11.12.2023

Aditya