

Court No. - 12

Case :- APPLICATION U/S 482 No. - 10293 of 2023

Applicant :- Anil Kumar And Others

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko. And Another

Counsel for Applicant :- Amit Kumar Awasthi, Ashish Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicants as well as learned A.G.A. for the State and perused the record.

2. The present application has been filed for quashing the charge-sheet dated 15.08.2020 as well as summoning order dated 10.03.2021 and entire proceeding of Case No.212 of 2021 arising out of Case Crime No.144 of 2020 U/s 147, 436, 341, 427, 506 I.P.C., Police Station- Haidrabad, District- Kheri.

3. Learned counsel for the applicants submits that F.I.R. of the case in question was lodged after two months of the alleged incident. He further submits that no offense U/s 436 I.P.C. is made out and all these aspects were not considered by Investigating Officer. It is, thus, submitted that charge-sheet was filed by Investigating Officer in the most mechanical manner, hence, indulgence of this Court is required.

4. Learned A.G.A. opposes the prayer of applicants and submits that after detail investigation, charge-sheet was filed by Investigating Officer. He also submits that mini trial cannot be possible at this stage, therefore, the present application is liable to be dismissed.

5. Considering the submissions of learned counsel for the applicants, learned A.G.A. and going through the contents of application as well as other relevant documents; it is evident that charge-sheet has already been filed by Investigating Officer and the evidences collected by him cannot be evaluated at this Stage.

6. In view of above, the present application U/s 482 Cr.P.C. is misconceived and, accordingly, stands **dismissed**.

Order Date :- 19.10.2023

Arpan