

Court No. - 12

Case :- APPLICATION U/S 482 No. - 9947 of 2023

Applicant :- Karunakar Pandey @ Babbu Pandey
And 2 Others

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

Counsel for Applicant :- Rama Niwas Pathak

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.

2. The present application under Section 482 Cr.P.C. is filed with the prayer to quash the proceeding of Case Crime No.302/2021 under Sections 406, 420, 506 I.P.C., Police Station Raunahi, District Faizbaad/Ayodhya.

3. Learned counsel for the applicant submits that as there was money dispute in between the parties and only with the intention to make pressure on the applicant, the F.I.R. in question was lodged and thereafter, charge sheet was filed without considering evidences provided by the applicant, therefore, indulgence of this Court is necessary.

4. Learned A.G.A. opposed the prayer of the applicant and submits that charge sheet was filed and defence of the applicant cannot be considered at this stage, therefore, present application is liable to be dismissed.

5. Considering the submissions of learned counsel for the parties, going through the record, it is evident that charge sheet has already been filed and the evidences collected by the Investigating Officer cannot be evaluated at this stage, as it is well settled by the Apex Court in the case of **C.B.I. Vs. Aryan Singh** reported in **2023 SCC Online SC 379** that mini trial cannot be conducted by the High Court, accordingly, the present application under Section 482 Cr.P.C. is misconceived and is hereby, **dismissed**.

Order Date :- 12.10.2023/Gaurav/-