

Court No. - 12

Case :- APPLICATION U/S 482 No. - 10359 of 2023

Applicant :- Saroj Kumar Alias Saroj Verma And 11 Others

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

Counsel for Applicant :- Mukesh Kumar Mishra, Anand Babu
Dixit, Pratyush Rawat, Rajan Mishra, Shambhunath
Mishra, Umesh Chandra Tripathi

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 19.11.2022 in Crime No.0467 of 2022 as well as summoning order dated 02.07.2023 passed by learned Additional Chief Judicial Magistrate, Court No.25, Barabanki in Case No.24596 of 2022 arising out of Crime No.0467 of 2022.
3. Learned counsel for the applicants submits that the civil dispute is pending between the parties and applicants were beaten by elder brother of private respondent but in place of taking necessary action against the brother of private respondent, 03 F.I.R.'s were lodged against the applicants. He further submits that superficial injuries have been shown by the injured person and during the course of investigation, arrest of applicants was stayed by writ court. It is, thus, submitted that indulgence of this Court is necessary.
4. Learned A.G.A. opposes the prayer of applicants and submits that after detail investigation, charge-sheet has already been filed by Investigating Officer and there is an injury report also. He also submits that all these evidences cannot be considered at this stage, therefore, the present application is liable to 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; this Court is of the view that evidences collected by Investigating Officer including the injury report 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