

Court No. - 13

Case :- APPLICATION U/S 482 No. - 10849 of 2023

Applicant :- Ved Prakash

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

Counsel for Applicant :- Ram Kinkar Upadhyay

Counsel for Opposite Party :- G.A.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the applicant and learned AGA for the State.

Notices to respondent no. 2 are dispensed with.

By this petition, the applicant has prayed for the following relief:-

Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to quash the impugned order dated 18.10.2023 passed by the Additional District Judge/F.T.C. II, Faizabad in Sessions Trial No. 37 of 2021 "State Versus Ved Prakash" arising out of Case crime No. 467 of 2020 under section 306 IPC, registered in Police Station- Mawai, District- Faizabad, as contained in Annexure No. 1 to this petition.

Perused the record.

It appears that initially an FIR was lodged by opposite party no. 2 under Section 147/302 IPC against the applicant as well as other co-accused. After investigation, charge sheet was filed under Section 306 IPC and charges were also framed under Section 306 IPC and prosecution witness PW-1 to PW-6 have been examined. Application under section 311 Cr.P.C. given by the prosecution for examining Akanksha Yadav has been allowed by the trial court, however, on several dates despite the witness being present, no cross-examination was done by the applicant's side.

Petition appears to have been filed to delay the trial. There appears to be no ground to entertain the petition.

The petition is misconceived and is accordingly dismissed.

Order Date :- 6.11.2023

R.C.