

Court No. - 11

Case :- APPLICATION U/S 482 No. - 11552 of 2023

Applicant :- Mannan

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

Counsel for Applicant :- Arvind Kumar Tiwari

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard.

Present application has been filed for the following main reliefs:-

"For the facts, reasons and circumstances stated in the accompanying Affidavit, this Hon'ble court may kindly be pleased to quash the impugned order dated 1.11.2023 passed by learned Civil Judge, Pravar Khand, Fast Track Court/Additional Chief Judicial Magistrate, Shrawasti in Complaint Case No.740/2017 (Shafikunnisha Versus Mannan & Anther) Under section- 376 IPC, Police Station- Malhipur, District- Shrawasti including further proceeding thereof so far it relates with the petitioner, as contained in Annexure No.1 to this Petition.

It is further prayed that this Hon'ble Court may kindly be pleased to stay the further proceeding initiated against the petitioner in Complaint Case No.740/2017 (Shafikunnisha Versus Mannan & Anther) Under section- 376 IPC, Police Station- Malhipur, District- Shrawasti pending in the court of learned Civil Judge, Pravar Khand, Fast Track Court/Additional Chief Judicial Magistrate, Shrawasti during pendency of the instant petition in the interest of justice.

It is further prayed that this Hon'ble Court may kindly be pleased to direct the learned Civil Judge, Pravar Khand, Fast Track Court/Additional Chief Judicial Magistrate, Shrawasti to decide the application for discharge afresh in accordance with law"

Taking note of submissions of learned counsel for the applicant as also the prayers sought in the present application, this Court is not inclined to entertain the present application.

Accordingly, the present petition is **dismissed** with liberty to petitioner/applicant to avail the remedy, as may be available, to the applicant/petitioner.

Office is directed to return the certified copies of the documents to the learned counsel for the applicant/petitioner, as per Rules in this regard.

Order Date :- 30.11.2023

Vinay/-