

Court No. - 12

Case :- APPLICATION U/S 482 No. - 12030 of 2023

Applicant :- Ashish Yadav @ Ashish Kumar Yadav

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

Counsel for Applicant :- Ram Milan Yadav, Om Prakash Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the parties.
2. Learned A.G.A. raised preliminary objection and submitted that the present application is filed by Shri Ashish Yadav @ Ashish Kumar Yadav, S/o Shyam Lal Yadav, R/o E-38, Jawahar Vihar Colony, District- Raebareli, permanent R/o Village Pooranpur, Post- Shankarpur, P.S. Lambhua, District- Sultanpur but the affidavit in support of the present application is filed by Shri Shyam Lal Yadav, S/o late Ram Lal Yadav, R/o Village Pooranpur, Post- Shankarpur, P.S. Lambhua, District- Sultanpur which is not permissible in the criminal justice system as the applicant is not in custody.
3. At this stage, learned counsel for the applicant requests for withdrawal of the application with liberty to file afresh.
4. His prayer is accorded.
5. Accordingly, the application is **dismissed as withdrawn** with the aforesaid liberty.
6. Office is directed to return the certified copy of the documents to the learned counsel for the applicant after taking photocopy of the same.

Order Date :- 12.12.2023

V. Sinha