

Court No. - 12

Case :- CRIMINAL APPEAL U/S 372 CR.P.C. No. - 177 of 2024

Appellant :- Smt. Parvati

Respondent :- State Of U.P. Thru. Prin. Secy. Home Deptt. Lko. And 6 Others

Counsel for Appellant :- Vimlesh Kumar Kashyap, Dharmendra Kumar Bhatt, Punit Kumar Shukla

Counsel for Respondent :- G.A.

Hon'ble Saurabh Lavania, J.

Heard.

The present application has been filed for the following main relief:-

"WHEREFORE, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to set aside the order and judgment dated 28.11.2014 passed by the Learned Additional Session Judge, Court No. 14/Special Judge POCSO Act, Sitapur in S.T. No. 169/2015 arising out of crime no. 360/2014 under section 363/366/368 IPC and 7/8 POCSO Act Police Station Sandana, District Sitapur and appeal be allowed and the respondents 2 to 7 be summoned and punished."

On being pointed out the relevant ***provisions of 33(7) of POCSO Act and Section 72 BNS***, akin to ***Section 28A IPC***, now repealed, as also the the judgment passed by the Hon'ble Apex Court in the case of ***Utpal Mandal Versus The State of West Bengal and Another; MANU/SCOR/49595/2024***, learned counsel for the appellant submitted that he may be permitted to withdraw the present appeal with liberty to file a fresh.

To the aforesaid prayer, learned A.G.A. has no objection.

Accordingly, the present appeal is ***dismissed*** with liberty as aforesaid.

Office is directed to return back all the certified/original copies of order and documents, annexed in the present appeal, to the learned Counsel for the appeal, if he applies for the and submit the copies of same.

Order Date :- 18.12.2024

Jyoti/-