

Court No. - 12

Case :- APPLICATION U/S 482 No. - 11644 of 2024

Applicant :- Brijesh Yadav @ Bholu

Opposite Party :- State Of U.P. Through Principal Secretary,
Home Department And Another

Counsel for Applicant :- Avinash Pandey

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the parties.

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

"WHEREFORE, it is most respectfully prayed by the humble applicant that this Hon'ble Court may graciously be pleased to set aside the NBW order dated 03/09/2024 passed by the learned lower court Civil Judge (J.D.) Room No. 15, Pratapgarh and the impugned charge sheet dated 21/01/2021 relating to Case Crime No.349/2020 Under Sections 498-A/323/354/504/506 I.P.C. and 3/4 D.P. Act, Police Station - Mandhata, District - Pratapgarh.

Considering the facts and circumstances of the case as also the law laid down by the Hon'ble Apex Court in the case of ***Inder Mohan Goswami and another vs. State of Uttranchal and others*** reported in (2007) 12 SCC 1, ***Sunil Tyagi vs. Govt. of NCT of Delhi and another*** reported in 2021 SCC OnLine Del 3597 and ***Satender Kumar Antil versus Central Bureau of Investigation and another*** reported in (2022) 10 S.C.R. 351 : (2022) 10 SCC 51 and the statement of counsel for the applicant that the applicant would appear before the court concerned, it is provided that if the applicant appears before the court concerned within two weeks from today and moves an appropriate application before the trial court including for recall of non-bailable warrant, the same shall be considered and decided by the trial court expeditiously strictly in accordance with law.

For a period of two weeks, no coercive action shall be taken against the applicant so far as the proceedings in issue are concerned.

In case, the applicant does not appear in terms of this order,

coercive action shall be taken against him.

The present appeal is ***disposed of*** in above terms.

Order Date :- 18.12.2024

ML/-