2026:AHC:212219

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 11662 of 2023

Ramesh Kumar Vaishya

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Archana Chauhan, Basant Kumar Chauhan, Gaurav Sharma
Counsel for Opposite Party(s)	:	G.A., Nirbhay Singh

Court No. - 74

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Although three learned counsels are shown in the cause-list to be appearing on behalf of the applicant but the applicant- Ramesh Kumar Vaishya is present before the Court in person who submits that he shall be presenting his case in person and not through his counsels.

3 Heard Sri Ramesh Kumar Vaishya the applicant in person, Sri Nirbhay Singh, learned counsel for the opposite party no.2 and Sri Bade Lal Bind, learned counsel for State and perused the records.

4. The present application U/S 482 Cr.P.C. / 528 B.N.S.S. has been filed by the applicant- Ramesh Kumar Vaishya, with the following prayer:-

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow the instant application and quash the impugned order dated 25.01.2023 passed in Session Trial No. 397 of 2022 (State Vs. Ramesh Kumar Vaishya and others) arising out of Case Crime No. 256 of 2008, under Sections 323, 325, 504, 506 I.P.C. and Section 3(1)(x) of SC/ST Act, Police Station Tharwai, District Allahabad passed by the Court of learned Additional Sessions Judge, Court No.15, Allahabad in the interest of Justice.

It is further prayed that this Hon'ble Court may graciously be pleased to stay the further proceedings of Session Trial No. 397 of 2022 (State Vs. Ramesh Kumar Vaishya and others) arising out of Case Crime No. 256 of 2008, under Sections 323, 325, 504, 506 I.P.C. and Section 3(1)(x) of SC/ST Act, Police Station Tharwai, District Allahabad passed by the Court of learned Additional Sessions Judge, Court No.15, Allahabad otherwise the applicant will suffer an irreparable loss and hardships which cannot be compensated in any manner whatsoever."

5. After arguments the applicant in person submits that the trial in the present matter has started in which the examination-in-chief of P.W.-1 Ashok Kumar Dhobhi the victim has been recorded and his cross-examination is under way. He submits that the present application u/s 482 Cr.P.C. be dismissed as withdrawn as he shall be seeking the appropriate remedy available to him under law as per the present stage of trial.

6. The prayer is allowed.

7. The present application u/s 482 Cr.P.C. is dismissed as withdrawn.

8. The records further show that there is no interim order in the matter.

October 9, 2026
AS Rathore

(Samit Gopal,J.)

Digitally signed by :-
ABHISHEK SINGH RATHOR
High Court of Judicature at Allahabad