

Court No. - 49

Case :- APPLICATION U/S 482 No. - 25798 of 2018

Applicant :- Ashutosh

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Ram Sheel Sharma, Pankaj Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Saumitra Dayal Singh, J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 20.05.2018, cognizance order dated 22.06.2018 as well as the entire proceedings of Case No. 1134/IX of 2018 (State Vs. Ashutosh), arising out of Case Crime No. 33 of 2018, under Sections- 363, 366 I.P.C., Police Station- Baberu, District- Banda, pending in the court of A.C.J.M.- I, Banda.

Learned counsel for the applicant states that daughter of the opposite party no. 2 has been found to be 18 years of age and that she has falsified the prosecution case in her statement recorded under Section 164 Cr.P.C. It is then stated that the alleged victim is living with the applicant as a married wife.

Matter requires consideration.

Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.

Issue notice to opposite party no. 2, returnable at an early date.

Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.

List thereafter.

Till the next date of listing, no coercive measure shall be taken against the applicant in the aforesaid case.

Order Date :- 1.8.2018

Abhilash