

28/5/2012

Sushri Deeksha Mishra, Advocate for the petitioner.

Shri Anil Kumar Shrivastava for the respondent-State.

Considering the reasons assigned in the application, I.A.No.4447/2012, an application for urgent hearing during summer vacation, is hereby allowed.

Also heard learned counsel for both the parties.

This petition under Section 482 of Cr.P.C. seeking quashment of prosecution arising out of Crime No.41/2012 registered at police station Mehgaon, District Bhind for the offences punishable under Sections 326, 294, 324, 323, 506-B read with Section 34 of IPC and Section 3 (1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It is stated that the petitioner is a Government servant and allegation so alleged against the petitioner, is not supported by the material so collected by the prosecution. It is further stated that *prima facie*, case for the said offences is not made out against the petitioner.

Looking to the allegations levelled against the petitioner and after hearing learned counsel appearing for the parties, at this stage, it cannot be said that *prima facie* no offence is made out against the petitioner. However, looking to the fact that the petitioner is a Government servant, it is directed that without

taking recourse of law, he shall not be apprehended. In the meantime, the petitioner may apply for bail before the concerned Court within a period of one week from today, which shall be considered and decided in accordance with law.

This petition under Section 482 of Cr. P. C. stands disposed of accordingly.

CC as per rules.

(J. K. Maheshwari)
Vacation Judge

mkb/-