

C-482 Petition No.1528 of 2014

Hon'ble U.C.Dhyani, J.

Mr. Sandeep Kothari, Advocate, present for the applicant.

Mr. S.S.Adhikari, Brief Holder, present for the State.

Learned counsel for the applicant confined his prayer only to the extent that the applicant may be permitted to move an application under Section 319 Cr.P.C. before the trial court, who should consider the said application on merits without being influenced by the proceedings sought to be challenged by way of filing the present application under Section 482 Cr.P.C.

Learned Brief Holder is not averse to such innocuous prayer of learned counsel for the applicant.

C-482 Petition is, accordingly, disposed of in the aforesaid terms.

It is made clear that this Court has not expressed any opinion on the merits of the case and the trial court is expected to decide such application, if moved, on its own merits.

(U.C.Dhyani, J.)

28.11.2014

Kaushal