

Court No. - 89

Case :- APPLICATION U/S 482 No. - 20095 of 2020

Applicant :- Sajid Ali

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Bharat Singh

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Misra,J.

Heard Mr. Bharat Singh, learned counsel for applicants and learned AGA for State.

This application under section 482 Cr.PC has been filed challenging order dated 2.11.2020 passed by Additional Sessions Judge/Special Judge (N.D.P.S. Act) Court No. 6, Badaun in Case No. 6100 of 2016 (State Vs. Muslim Khan) under Section 406/504 IPC, P.S. Alapur, District Badaun, whereby application filed by applicant in terms of Section 216 Cr. P. C. has been rejected.

At the very outset, learned A.G.A. contends that application under Section 482 Cr. P. C. is not maintainable. Applicant has remedy of challenging impugned order by filing criminal revision in terms of Section 397 Cr. P. C.

When controverted with aforesaid, learned counsel for applicant could not overcome the same.

In view of above, application fails and is, accordingly, dismissed as not maintainable.

Certified copy of the order be returned to learned counsel for applicants after retaining photo copy of the same to be kept on record.

Order Date :- 29.1.2021

HSM