

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 24th OF APRIL, 2024

MISC. CRIMINAL CASE No. 5089 of 2024

BETWEEN:-

**MANOJ TRIPATHI S/O SHRI BHAGWAT
TRIPATHI, AGED ABOUT 48 YEARS, R/O 2/9/132
NEHRU NAGAR REWA (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI HARPREET SINGH GUPTA-ADVOCATE THROUGH V.C.)

AND

**BHAVNA TRIPATHI W/O SHRI MANOJ TRIPATHI,
AGED ABOUT 45 YEARS, R/O 37/B PALACE
ORCHARD PHASE II, KOLAR ROAD, BHOPAL
(MADHYA PRADESH)**

.....RESPONDENT

(NONE)

*This application coming on for orders this day, the court passed
the following:*

ORDER

1. Heard on **IA No.9411/2024**, an application seeking permission to withdraw this application with liberty to file criminal revision.
2. It is submitted that against the order passed by 26th Additional Session Judge, Bhopal in Criminal Appeal No.392/2023 on 31.10.2023, the applicant has preferred this application under Section 482 of Cr.P.C.. But as per the objections raised by the office, criminal revision is maintainable. Accordingly, it is prayed that he may be

permitted to withdraw this application with liberty to file criminal revision.

3. For the reasons mentioned in the application, IA No.9411/2024 is hereby **allowed**.
4. Accordingly, application is **dismissed as withdrawn** with liberty to the applicant to file criminal revision.
5. On filing photocopy of the impugned order dated 31.10.2023 passed by 26th Additional Session Judge, Bhopal in Criminal Appeal No.392/2023, office is directed to return certified copy of the same to counsel for the applicant.

(G.S. AHLUWALIA)
JUDGE

JP