

No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			C-528 No. 1956 of 2025 <u>Hon'ble Alok Mahra, J.</u> Mr. Bhuwan Chandra Pokhariya, applicant in-person. 2. Mr. Akshay Latwal, learned A.G.A. for the State. 3. Mr. Akhil Kumar Sah and Mr. D.C.S. Rawat, learned counsel for respondent no. 2. 4. The present criminal misc. application is filed challenging the summoning order dated 31.07.2025 passed by the court of learned Judicial Magistrate/Second Additional Civil Judge (Jr. Div.), Nainital in Criminal Case No. 554 of 2024, whereby, the applicant has been summoned for the offence punishable under Sections 499 and 500 of IPC. 5. Applicant is present in-person. He would submit that false and frivolous complaint has been filed against him as applicant has filed several PILs specially PIL No. 65 of 2024 against the Nainital Dugdh Utpadak Sahkari Sangh Ltd. and has highlighted their irregularities committed in it. That PIL is still pending and therefore he has prayed that till the PIL is pending, proceedings of Criminal Case No. 554 of 2024 shall remain stayed. 6. Heard applicant-in-person, learned counsel for the respondents and perused the record. 7. Perusal of the impugned summoning order would reveal that the Judicial Magistrate concerned, after applying its judicial mind, has rightly summoned the applicant to face the trial and the summoning order has been passed as the court concerned was <i>prima facie</i> satisfied with the averments made in the plaint as well as with the statements recorded under Section 200 and 202

			Cr.P.C. It is settled law that at the time of taking cognizance, the Court has to only satisfy itself and it is always open for the applicant to appear before the learned Magistrate and file his objection against the summoning order. 8. The court concerned has considered & discussed all relevant aspects. Thus, the view taken by the learned Judicial Magistrate concerned cannot be faulted. This Court does not find any infirmity or illegality in the impugned summoning order dated 31.07.2025 passed by the court of learned Judicial Magistrate/Second Additional Civil Judge (Jr. Div.), Nainital in Criminal Case No. 554 of 2024, for the offence punishable under Sections 499 and 500 of IPC. Hence, this Court does not find any reason to interfere with the impugned order. 9. Accordingly, the criminal misc. application fails and is hereby dismissed. (Alok Mahra J.) 04.05.2026 Ujjwal
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