

Court No. - 75

Case :- APPLICATION U/S 482 No. - 1611 of 2025

Applicant :- Moolchand Yadav And Another

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

Counsel for Applicant :- Manvendra Singh

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Sri Manvendra Singh, learned counsel for the applicants and learned A.G.A. for the State are present.

The present application u/s 482 Cr.P.C. has been filed with prayer to quash the entire proceedings of Criminal Case No. 6893 of 2023 (State Vs. Amarnath and Others) arising out of Case Crime No. 220 of 2022, under Sections 147, 149, 323, 504, 506, 325 I.P.C. Police Station Khakhreru, District Fatehpur as well as impugned charge-sheet dated 06.03.2023, cognizance order dated 20.07.2023 and summoning order dated 30.08.2024 pending in the Court of Judicial Magistrate, Khaga, District Fatehpur.

Learned counsel for the applicants submitted that impugned complaint has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the applicants. It is further submitted that the cognizance order dated 20.07.2023 was passed in a cryptic manner. It is further submitted that vide order dated 20.07.2023 only one co-accused Amarnath was summoned and cognizance was taken against co-accused Amarnath only, thereafter on 30.08.2024, present applicants have been summoned without taking cognizance against the applicants on the basis of same charge-sheet.

Prima facie, Matter requires consideration.

Notice on behalf of respondent no. 1 has been accepted by learned A.G.A.

Issue notice to respondent no. 2 through C.J.M. concerned, returnable at an early date.

Learned A.G.A. as well as respondent no. 2 may file their counter affidavits within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

List this case on 29.04.2025 as fresh.

Till next date of listing, further proceedings of Criminal Case No. 6893 of 2023 (State Vs. Amarnath and Others) arising out of case crime No. 220 of 2022, under Sections 147, 149, 323, 504, 506, 325 I.P.C. Police Station Khakhreru, District Fatehpur pending in the Court of Judicial Magistrate, Khaga, District Fatehpur shall remain stayed against applicants.

Order Date :- 7.3.2025

Karan