

Court No. - 65

Case :- APPLICATION U/S 482 No. - 14935 of 2023

Applicant :- Rani

Opposite Party :- State Of U.P. And Another

Counsel for Applicant :- Surendra Kumar Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Rajiv Gupta,J.

Heard learned counsel for the applicant, learned AGA for the State and perused the record.

Learned counsel for the applicant has submitted that applicant is wholly innocent and has been falsely implicated in the present case due to ulterior motive.

Learned counsel for the applicant has submitted that even taking into consideration the entire allegations made in the complaint as well as statement of the witnesses recorded u/s 200 and 202 Cr.P.C. on its face value, no offence under Section 406 IPC is made out against the applicant.

Matter requires consideration.

Issue notice to opposite party no.2 returnable within four weeks.

Learned AGA has accepted notice on behalf of the State, who may file counter affidavit within the said period. Rejoinder affidavit, if any, may be filed within one week thereafter.

List on 10.7.2023.

Till then, no coercive action shall be taken against the applicant in Complaint Case No. 10018 of 2022 (Nadeem Abbas Vs. Rahisuddin and others), under Section 406 IPC, P.S. Chhatta, District- Agra, pending in the Court of Add. Chief Judicial Magistrate, Court No. 2, Agra.

Order Date :- 3.5.2023

KU