

Court No. - 49

Case :- APPLICATION U/S 482 No. - 17149 of 2018

Applicant :- Shivani Singh And Anr

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

Counsel for Applicant :- Rinki Gupta

Counsel for Opposite Party :- G.A.

Hon'ble Saumitra Dayal Singh,J.

Heard learned counsel for the applicant/s and learned A.G.A. for the State as also perused the record.

The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 31.08.2017, cognizance dated 21.02.2018 and the proceeding of Case No. 213 of 2018, arising out of Case Crime No. 345 of 2017, under Sections- 406, 420, 120B I.P.C., Police Station- Bhognipur, District- Kanpur Dehat, pending in the court of Judicial Magistrate, Bhognipur, Kanpur Dehat.

Learned counsel for the applicant submits that admittedly no money was paid to the applicant and that the money had been paid to the applicant's father by the opposite party no.2 at the instance and suggestion of certain other persons. It is submitted that the applicant has been falsely implicated only to pressurize the applicant's father with whom the opposite party no.2 is in dispute.

Learned counsel for the applicant further submits that the FIR allegation itself indicates that the cheque signed by the applicant had been obtained under pressure exercised by the opposite party no.2, though the applicants are not the director or signatory of the company from whom the opposite party no.2 claims the money.

Matter requires consideration.

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

Issue notice to opposite party no.2 returnable at an early date.

Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.

List and connect with Application U/s 482 Cr.P.C. No. 14819 of 2018.

Till the next date of listing, no coercive measure shall be taken against the applicants in the aforesaid case.

Order Date :- 16.5.2018

Lbm/-