

Court No. - 49

Case :- APPLICATION U/S 482 No. - 23167 of 2018

Applicant :- Richa Sharma

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

Counsel for Applicant :- Siddharth Shanker Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Saumitra Dayal Singh,J.

Heard learned counsel for the applicant and learned A.G.A. for the State.

The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 09.03.2018, cognizance/summoning order dated 20.03.2018 as well as the entire proceedings of Case No. 98 of 2018 (State Vs. Asif), arising out of Case Crime No. 45 of 2017, under Sections- 147, 149, 307, 498A I.P.C., Police Station- Bahadurgarh, District- Hapur, pending in the court of learned Judicial Magistrate, Garhmukteshwar, Hapur.

Learned counsel for the applicant submits that the applicant is the second wife of the main accused Asif and that she used to reside at Delhi. It is then stated, she had no concern with the incident as alleged and that the nature of injuries suffered by the victim are minor which falsify the prosecution case.

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 thereafter.

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

Order Date :- 25.7.2018

Abhilash