

Court No. - 49

Case :- APPLICATION U/S 482 No. - 30153 of 2018

Applicant :- Neha And Another

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

Counsel for Applicant :- Mrityunjay Dwivedi

Counsel for Opposite Party :- G.A.

Hon'ble Saumitra Dayal Singh,J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated 9.4.2018 and cognizance order dated 25.5.2018 as well as further proceeding of Crime No. 0713 of 2017, under Sections 392, 504, 506 IPC, Police Station Delhi Gate, District Aligarh.
3. Learned counsel for the applicants submits that the applicant no.1 is the wife of the younger brother of opposite party no.2. She is facing marital discord. Arising therefrom she had earlier lodged a NCR in which proceedings are still pending.
4. Motivated by the above action taken by the applicants, opposite party no.2 has lodged a wholly false and frivolous FIR against the applicants of having stolen Rs. 7000/- from his shop.
5. Matter requires consideration.
6. Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.
7. Issue notice to opposite party no.2 returnable at an early date.
8. Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.
9. List thereafter.
10. Till the next date of listing, further proceeding in the aforesaid case against the applicants shall remain stayed.

Order Date :- 10.9.2018

Mini