

**Court No. - 73**

**Case :- APPLICATION U/S 482 No. - 14605 of 2024**

**Applicant :- Mahaveer**

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

**Counsel for Applicant :- Fareed Uddin**

**Counsel for Opposite Party :- G.A.**

**Hon'ble Raj Beer Singh,J.**

1. Heard learned counsel for the applicant and learned A.G.A. appearing for the State-respondents and perused the record.

2. The present application under Section 482 Cr.P.C. has been filed for quashing of entire proceedings, including the summoning order dated 16.10.2023, of Complaint Case No.17874 of 2023 (Om Prakash Vs. Mahaveer), under Sections 323, 427, 452, 506 I.P.C., P.S. Ghazipur, District Fatehpur, pending before the court of Additional Civil Judge (J.D.)/Judicial Magistrate, Court No.2, Fatehpur.

3. It is submitted by learned counsel for the applicant that in order to return amount of applicant, the opposite party no.2 has issued cheque of Rs.2,40,000/- in favour of the applicant. The said cheque was dishonoured and in that connection the applicant filed a complaint on 08.04.2022 against the opposite party no.2 under Section 138 N.I. Act. Thereafter, the impugned complaint has been lodged as a counter-blast to said case, by making general allegations that applicant has assaulted the complainant. It is further submitted that the impugned proceedings are counter-blast and thus liable to be quashed.

4. Matter requires consideration.

5. Issue notice to opposite party no.2 returnable at an early date.
6. Opposite party no.2 may file counter affidavit within four weeks.
7. List this case on 24.03.2025.
8. It is directed that till the next date of listing, no coercive action shall be taken against the applicant in aforesaid case.

**Order Date :- 7.2.2025**

Jitendra