

Court No. - 73

Case :- APPLICATION U/S 482 No. - 19752 of 2024

Applicant :- Dharmendra Singh

Opposite Party :- State Of U.P. & 3 Others

Counsel for Applicant :- Manoj Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. This application under Section 482 Cr.P.C. has been preferred against order dated 13.09.2023, passed by learned Principal Judge, Family Court, Sambhal, Chandausi in Complaint Case No.191 of 2022 (Poonam and Others Vs. Dharmendra Singh), under Section 125 CrPC, Police Station- Behjoi, District- Sambhal. The order dated 09.04.2024 passed by aforesaid court in Misc. Case No.22 of 2024, is also being impugned.
3. It has been submitted by learned counsel for the applicant that opposite party nos.2 to 4 were awarded maintenance under Section 125 Cr.P.C. by the Family Court vide ex-parte judgment dated 13.09.2023. The applicant has filed an application under Section 126(2) Cr.P.C., along with application under Section 5 Limitation Act for condonation of delay, but that application has been rejected by the Family Court vide impugned order dated 09.04.2024. It was submitted that impugned orders are against facts and law and thus liable to be set aside.
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. Put up this case on 28.02.2025, as fresh.

Order Date :- 27.1.2025

'SP'/-