

Court No. - 76

Case :- APPLICATION U/S 482 No. - 21024 of 2024

Applicant :- Bhupendra Singh Alias Anoop Singh

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

Counsel for Applicant :- Lalita Mishra, Rajnish Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the applicant and learned A.G.A. for the State.
3. It is submitted by learned counsel for the applicant that dispute between the parties is purely civil in nature and no case is made out against the applicant. The complainant/ opposite party no.2 has lodged the complaint by alleging that he has given an amount of Rs.12,50,000/- to the applicant for business purpose and later on an amount of Rs.6,00,000/- was returned and when remaining amount was demanded, he has issued a cheque of Rs.2,00,000/- but when presented in Bank, said cheque was dishonored. It was submitted that the dispute between the parties is purely civil in nature and no prima facie case is made out against the applicant. It is further submitted that a revision was preferred against impugned summoning order dated 16.11.2022 the said revision has also been dismissed in arbitrary manner by the Court of Sessions Judge, Maharajganj vide impugned order dated 30.11.2023.
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 16.10.2024.

8. It is directed that till the next date of listing, no coercive process shall be taken against applicant in Complaint Case No.2832 of 2021 (Arvind Dubey Versus Bhupendra) under Sections 420, 504, 506 IPC, Police Station Pharenda, District Maharajganj, pending in the Court of Judicial Magistrate, Pharenda, District Maharajganj.

Order Date :- 29.8.2024

RKM