

**Court No. - 73**

**Case :- APPLICATION U/S 482 No. - 21677 of 2024**

**Applicant :-** Arun Gupta

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

**Counsel for Applicant :-** Gaurav Singh Tomar, Inder Pal Singh Tomar

**Counsel for Opposite Party :-** G.A., Pawan Singh Pundir

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

1. Heard Sri Noor Ahmad, Advocate holding brief of Sri Gaurav Singh Tomar, learned counsel for the applicant, learned counsel for the opposite party no.2 and learned AGA for the State.

2. This application under Section 482 Cr.P.C. has been preferred for quashing of the entire proceedings, including summoning order dated 13.03.2024, of Complaint Case No.1693 of 2023 (Saurabh Talwar Vs. Arun Gupta and others), under Section 420 IPC, Police Station- Mandi, District- Saharanpur, pending before the Court of C.J.M., Saharanpur.

3. It has been submitted by learned counsel for the applicant that dispute between the parties is purely civil in nature relating to business transaction. Learned counsel has referred contents of complaint and submitted that the complainant has given amount of Rs.26,15,969/- to 'Sai Traders' and not to applicant and in fact the complainant has to return Rs.16,85,000/- to the applicant against supply of goods and he has lodged the impugned complaint in order to exert undue pressure upon the applicant.

4. Learned counsel for the opposite party no.2 has opposed the application and submitted that in view of allegations made in the impugned complaint and statement of complainant, a prima-facie case is made out against the applicant.

5. Matter requires consideration.

6. Opposite party no.2 may file counter affidavit within four weeks.

7. List this case on 21.02.2025 in top 20 cases.

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 :- 8.1.2025**

SP/-/RKM