

Court No. - 75

Case :- APPLICATION U/S 482 No. - 22369 of 2024

Applicant :- Rachna Kumari And Another

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

Counsel for Applicant :- Purushottam Mani Tripathi

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

Heard learned counsel for the applicants and learned AGA for the State.

It has been argued by learned counsel for the applicants that applicant no. 1 is wife of the complainant/opposite party no. 2 and earlier she has lodged a first information report on 05.05.2019 against the complainant and his family members for the offence under Sections 498-A, 323, 504, 506, 354, 354-Ka, 316, 376, 387 IPC and Section 3/4 of D.P. Act and one more case was also filed by applicant no. 1 under Section 9 of the Hindu Marriage Act and thereafter the impugned complaint has been filed by the complainant as a counterblast to the said cases. Referring to the facts of the matter, it was submitted that the impugned proceedings are liable to be quashed.

Matter requires consideration.

Issue notice to opposite party no. 2, returnable at an early date. Steps be taken within a week.

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

List in the second week of January, 2025.

Till the next date of listing, no coercive action shall be taken against the applicants, namely, **Rachna Kumari and Gagan Gautam** in complaint case No. 549 of 2021, under Sections 504, 506 IPC, P.S. Vijay Nagar, district Ghaziabad, pending in the court of A.C.J.M., Ghaziabad.

Order Date :- 5.11.2024/Anand