

Court No. - 75

Case :- APPLICATION U/S 482 No. - 22963 of 2024

Applicant :- Ram Singh

Opposite Party :- State Of Upand Another

Counsel for Applicant :- Aman Arya

Counsel for Opposite Party :- G.A.

Hon'ble Mrs. Manju Rani Chauhan,J.

1. Supplementary affidavit filed on behalf of applicant, is taken on record.
2. Heard Mr. Aman Arya, learned counsel for the applicant, Mr. Amit Singh Chauhan, learned A.G.A.-I for the State and perused the record.
3. This application under Section 482 Cr.P.C. has been filed to quash the summoning order dated 19.04.2024 passed by III Additional District and Session Judge/Special Judge (Dacoity Affected Area), Kanpur Dehat in Session Case (Complaint) No. 1694 of 2023 (Swarnpal Singh Vs. Ram Singh) under section 504, 323, 394, 506 IPC, P.S. Bilhaur, District Kanpur Dehat pending in the court of III Additional District and Session Judge/Special Judge (Dacoity Affected Area), Kanpur Dehat.
4. Learned counsel for the applicant submits that a civil litigation is pending between Smt. Radha Devi wife of opposite party no. 2 and Smt. Bittan wife of applicant who is one of the defendant in the aforesaid case, therefore, the present case has been lodged with false and frivolous allegation in order to exert pressure upon the applicant, a copy of plaint of Suit No. 126 of 2020 has been annexed as Annexure No. SA-1 to the supplementary affidavit.
5. Matter requires consideration.
6. Notice on behalf of opposite party no. 1 has been accepted by

learned A.G.A.

7. Issue notice to opposite party no. 2 returnable at an early date.
8. Steps be taken within a week.
9. Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.
10. List thereafter before appropriate Bench.
11. Matter shall not be treated as tied up/part heard to this Bench.
12. Till the next date of listing, the proceedings of the aforesaid case shall remain stayed.

Order Date :- 29.7.2024

Arti