

Court No. - 78

Case :- APPLICATION U/S 482 No. - 28515 of 2024

Applicant :- Anurag Singh

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

Counsel for Applicant :- Narendra Singh

Counsel for Opposite Party :- Anurag Singh,G.A.

Hon'ble Sanjay Kumar Pachori,J.

Heard Shri Nagendra Singh, learned counsel for the applicant, Sri Anurag Singh, learned counsel for the private opposite party no. 2 and Sri Tejbhan Singh, learned A.G.A. for the State.

The present 482 Cr.P.C. application has been filed to quash the entire proceedings of Complaint Case No. 121153 of 2023 (Jitendra Singh vs. Anurag Singh), under Sections 406, 323, 504 IPC, P.S. Kotwali, District Kanpur Nagar as well as cognizance/summoning order dated 20.03.2024, pending in the court of Metropolitan Magistrate, Court No. 3, Kanpur Nagar.

Learned counsel for the applicant submits that the complaint dated 31.07.2023 has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that as per allegation of complaint case, cheque has been issued by the applicant in favour of the complainant. It is further submitted that the complainant has converted a civil dispute into a criminal case. It is further submitted that there is no medical report to substantiate the allegation of complaint.

Prima facie, matter requires consideration.

Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.

Issue notice to opposite party no. 2 returnable at an early date.

Opposite party no. 2 may file his counter affidavit within two weeks. Rejoinder affidavit may be filed within one week thereafter.

List after eight weeks.

Until further orders of this Court, further proceedings of the aforesaid Complaint Case, shall remain stayed against the applicant.

Order Date :- 30.9.2024

MAA/-