

Court No. - 77

Case :- APPLICATION U/S 482 No. - 29870 of 2024

Applicant :- Abdulla

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

Counsel for Applicant :- Virendra Kumar Jaiswal

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Heard Shri Virendra Kumar Jaiswal, learned counsel for the applicant and Shri Tej Bhan Singh, learned A.G.A. for the State.

The present 482 Cr.P.C. application has been filed by the applicant to quash the entire proceedings of criminal case No. 3041 of 2022 (State Vs. Abdulla) arising out of case crime No. 1067 of 2021, under Sections 420, 467, 468, 471, I.P.C., Police Station- Masoori, District Ghaziabad as well as cognizance/summoning order dated 16.11.2022, pending in the court of Civil Judge (Junior Division) F.T.C./Judicial Magistrate, Ghaziabad.

Learned counsel for the applicant submits that the first information report dated 17.12.2021 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that the first information report has been lodged as a counter blast case of notice dated 15.11.2021, which has been served upon the first informant under Section 138 of Negotiable Instruments Act.

Prima facie, matter requires consideration.

Learned A.G.A. has accepted notice on behalf of opposite party No. 1.

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

Learned A.G.A. as well as opposite party no. 2 may file their counter affidavits within three 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 case shall remain stayed against the applicant.

Order Date :- 22.10.2024/T. Sinha