

Court No. - 75

Case :- APPLICATION U/S 482 No. - 30935 of 2024

Applicant :- Vivek Gupta

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

Counsel for Applicant :- Vivek Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. This application under Section 482 Cr.P.C. has been preferred against order dated 04.06.2024 passed by learned Additional District & Session Judge/Special Judge (POCSO Act), Court No.2, Amroha, in Complaint Case No.1665 of 2022 (Vivek Gupta Vs. Prempal Singh), under Section 406 IPC, Police Station- Gajraula, District- Amroha, pending before the concerned. Court.
3. It has been submitted by learned counsel for the applicant that earlier applicant has filed complaint case no.244/2021 but it was dismissed vide order dated 30.05.2022 for want of prosecution. Thereafter, applicant has filed second complaint and the opposite party no.2 was summoned vide order dated 17.02.2023 for offence under Section 406 IPC. The opposite party no.2 has challenged the said order in revision, which has been allowed vide impugned order dated 04.06.2024. It was submitted that the observation of learned Revisional Court that the first complaint of applicant was dismissed on merits is against record.
4. Matter requires consideration.
5. Issue notice to opposite party no.2 returnable at an early date.
6. List this case on 17.01.2025 in top twenty cases.

Order Date :- 11.12.2024

SP/-