

Court No. - 75

Case :- APPLICATION U/S 482 No. - 32236 of 2024

Applicant :- Rajendra Prasad And 8 Others

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

Counsel for Applicant :- Akhilesh Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Heard Shri Akhilesh Kumar Singh, learned counsel for the applicants and Shri Kamleshwar Singh, learned A.G.A. for the State.

The present 482 Cr.P.C. application has been filed by the applicants to quash the entire proceedings of criminal case No. 31420 of 2024 (State of U.P. Vs. Rajendra Prasad and others) arising out of case crime No. 593 of 2023, under Sections 147, 323, 504, 506, 452, I.P.C., Police Station- Kotwali, District Ghaziapur as well as cognizance/summoning order dated 6.8.2024, pending in the court of Chief Judicial Magistrate, Ghazipur.

Learned counsel for the applicants submits that the first information report dated 7.12.2023 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicants. It is further submitted that the Private-Opposite Party No. 2 is husband of applicant No. 4. It is further submitted that there is no medical examination report to substantiate the allegation of F.I.R. It is further submitted that other matrimonial disputes are pending between the Private-Opposite Party No. 2 and the applicant No. 4.

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 applicants.

Order Date :- 8.1.2025

T. Sinha