

Court No. - 69

Case :- APPLICATION U/S 482 No. - 5881 of 2002

Applicant :- Amit Kumar Garg

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

Counsel for Applicant :- Rajiv Gupta, Dilip Kumar

Counsel for Opposite Party :- Govt. Advocate, Siddharth Shanker Mishra

Hon'ble Samit Gopal, J.

1. The matter has been taken up in the revised list. No one appears on behalf of the applicant to press this application under Section 482 Cr.P.C. despite the fact that there are two learned counsels on behalf of the applicant. Sri Siddharth Shanker Mishra, learned counsel for the opposite party no.2 and Sri Triveni Saran Rai, learned counsel for the State are present.

2. The present application under Section 482 Cr.P.C. has been filed by the applicant with the prayer to quash the entire proceeding of Complaint Case No.410/2000 M/s Central Piston Industries Vs. Amit Kumar Garg, pending in the Court of 2nd, A.C.J.M. Ghaziabad, set-aside the order dated 31.7.2000 taking cognizance and issuing process against the applicant for facing trial, under Section 138/142 of Negotiable Instrument Act, Passed by 2nd, A.C.J.M. Ghaziabad and order dated 7.3.2002 passed by Special Judge (Anti Corruption-U.P. East), Ghaziabad in Criminal Revision No.26/2002- Amit Garg Vs. Central Piston Industries and further proceedings of aforesaid complaint case may be stayed during the pendency of this application.

3. Notice was issued to the applicant vide order dated 11.8.2023 passed by a coordinate Bench of this Court. As per the report of the C.J.M. Ghaziabad dated 12.9.2023, notice has been served upon the applicant personally. The said report encloses the copy of the receipt on the police report which is dated 4.9.2023 but despite service of notice on the applicant, no one appears on behalf of the applicant.

4. In view of the same, the present application under Section 482 Cr.P.C. stands dismissed.

5. Interim order, if any, stands vacated.

(Samit Gopal, J.)

Order Date :- 12.12.2023

Gaurav Kuls