

Court No. - 93

Case :- APPLICATION U/S 482 No. - 20350 of 2023

Applicant :- Praveen Kumar Gupta

Opposite Party :- State of U.P.

Counsel for Applicant :- Shashi Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

Heard Sri Shashi Kr. Mishra, learned counsel for the applicant and Sri Rajeev Kr. Singh, learned A.G.A. for the State.

The present application has been filed for quashing the criminal proceeding of Criminal Case No. 690 of 2022 (*State vs. Praveen Kumar Gupta*), arising out of Case Crime No. 277 of 2019, u/s 406, 420 I.P.C., P.S. Bagwala, District Etah, pending before A.C.J.M., Court No.17, Etah.

Contention of learned counsel for the applicant is that the amount transferred by the beneficiary Ganesh in the account of the applicant was the amount of loan which was taken by the beneficiary Ganesh.

From perusal of the record, it appears that there is specific allegation that after receiving three installments under Pradhanmantri Avash Yojana, an amount of Rs.83,000/- was transferred in the account of Gram Pradhan, but despite receiving that amount, he did not construct the house. Therefore, no case of quashing is made out.

Accordingly, the application is **dismissed**.

However, it is open to the applicant to apply for bail or move a discharge application before the court below.

Order Date :- 9.11.2023

Vandana