

Court No. - 85

Case :- CRIMINAL APPEAL No. - 8706 of 2023

Appellant :- Preetam @ Guru Pratap @ Guru Pratapesh Kumar

Respondent :- State of U.P. and Another

Counsel for Appellant :- Prakash Chandra Gupta

Counsel for Respondent :- G.A., Ram Raksha Tiwari

Hon'ble Mayank Kumar Jain, J.

Heard learned counsel for the appellant and learned A.G.A. for the State.

The present criminal appeal has been filed against the order dated 16.07.2022 passed by Special Judge (SC/ST) Act/Additional Sessions Judge, Banda in Special Case No. 109 of 2022 arising out of case Crime No. 335 of 2022, under Sections 354, 420, 504, 506, 507 I.P.C. and 3 (2) (Va) of SC/ST Act, PS Kotwali Nagar, District Banda whereby the appellant was summoned to face trial.

It is submitted that according to the prosecution version appellant had taken Rs. 60,000/- from the informant on 4th March, 2022 on the pretext of false promise to provide her a job but no job was provided to her by the appellant. On 02.05.2022, when she demanded to return her money from the appellant, he addressed her with caste related words. It is further submitted that in fact the informant was working in the house of appellant as house cleaner on monthly salary of Rs. 3,500/- but she suddenly demanded Rs. 50,000/- from the appellant as advance stating that she wants to buy a scooty and when appellant denied for the same, she lodged a false F.I.R. against him.

Per contra, learned A.G.A. submitted that after fair investigation charge sheet has been submitted against the appellant. Appellant is named in the F.I.R. and there is specific allegations against the appellant that he had taken Rs. 60,000/- from her on 04.03.2022. The informant was medically examined on 05.05.2022 and certain injuries were noted on her person. It is further submitted that there is no evidence that informant was working as maid of the appellant and she demanded Rs. 50,000/- as advance from him.

After having heard the learned counsel for the parties and perused the record, I do not find any illegality in the impugned

order dated 16.07.2022 and the appeal is liable to be dismissed.

Accordingly, the criminal appeal is **dismissed**.

Order Date :- 2.11.2023

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