

Court No. - 93

Case :- APPLICATION U/S 482 No. - 30964 of 2023

Applicant :- Mahavir Singh

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

Counsel for Applicant :- Ashish Goyal

Counsel for Opposite Party :- G.A.

Hon'ble Arun Kumar Singh Deshwal,J.

Heard Sri Ashish Goyal, learned counsel for the applicant and learned A.G.A. for the State.

The present application has been filed for quashing of the entire criminal proceeding of complaint case No. 1063 of 2021 (*Lekhraj vs. Mahavir Singh*), u/s 138 N.I. Act, P.S. Hariparvat, District Agra, pending before Special Court 138 N.I. Act, District Agra.

At the very outset, learned counsel for the applicant submits that the applicant wants to compound the offence in question by moving appropriate application as required under 147 of the N.I. Act, 1881.

In view of the above as well as law laid down by the Apex Court in ***Damodar S. Prabhu vs. Syed Babalal H. (Criminal Appeal No. 963 of 2010)*** decided on 3.5.2010, the present application is **disposed of** with a direction that if the applicant moves an application before appropriate court, the court will pass appropriate order within a period of one month.

For a period of one month or till disposal of the application of the applicant for compounding the offence, whichever is earlier, no coercive action shall be taken against the applicant in complaint case No. 1063 of 2021 (*Lekhraj vs. Mahavir Singh*), u/s 138 N.I. Act, P.S. Hariparvat, District Agra.

Order Date :- 17.10.2023

Vandana