

Court No. - 89

Case :- APPLICATION U/S 482 No. - 31738 of 2023

Applicant :- Amandeep Singh Garewal

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

Counsel for Applicant :- Rahul Saxena

Counsel for Opposite Party :- G.A., Veerendra Singh

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant, learned counsel for the opposite party no. 2 and learned A.G.A. for the State.
2. This application under Section 482 Cr.P.C. has been filed by the applicant to quash the order dated 05.07.2023 passed by Additional Session Judge, Court No. 2, Moradabad in Session Trial No. 907 of 2021, (State of U.P. vs. Amandeep), arising out of Case Crime No. 462 of 2021, under Section 498A, 304B IPC & Section 3/4 of Dowry Prohibition Act, Police Station- Majhola, District-Moradabad, pending in the court of Additional Session Judge, Court No. 2, Moradabad.
3. Counsel for the applicant submits that annexure no. 8 of the instant application, which was moved by the applicant before the court below has been decided by the learned Trial Court vide order dated 05.07.2023. He next submits that the Trial Court without considering the grievance of the applicant, illegally rejected the application of the applicant, which is annexed as annexure no. 8 to the instant application.
4. Counsel for the opposite party no. 2 has raised objection that application which is filed as annexure no. 8 is not the same application, which was moved before Trial Court and annexure no. 8, which is said to be Paper No. 14B is fictitious paper and instant application has been filed concealing the original application, which was not filed before the Trial Court and he has produced the certified copy of the application 14B dated 19.12.2022. The entire facts of the original application is different from the application annexed here as annexure no.8, to which it is said that it has been decided by the Trial Court. He next submits that act of the applicant is deliberate and only to misguide the Court.
5. Considered the submissions raised by counsel for the parties and

perused the entire record.

6. On tallying the contents of application annexed as annexure no. 8 to the 482 application with the certified copy of original application produced by the counsel for the opposite party no. 2, I find that contents are entirely different. The act of the applicant is not appreciable.

7. In view of above, the instant application under Section 482 Cr.P.C. stands **dismissed**.

Order Date :- 3.11.2023

Aditya