

Court No. - 88

Case :- APPLICATION U/S 482 No. - 32682 of 2023

Applicant :- Sanjay Kumar Gupta

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

Counsel for Applicant :- Vinod Kumar Yadav, Mahendra Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh, J.

1-Heard learned counsel for the applicant as well as learned A.G.A. for the State of U.P./opposite party no.1.

2-This application under Section 482 Cr.P.C. has been filed by the applicant with a prayer to quash the summoning order dated 08.03.2019 as well as proceedings of Complaint Case No. 3025 of 2018 (Rajeev Gupta Vs. Sanjay Kumar Gupta), under Section 138 N.I. Act, Police Station Delhigate, District Aligarh, pending in the court of learned Additional Chief Judicial Magistrate, Court No.9, Aligarh.

3-On 03.11.2023 following order has been passed:-

"It is submitted by learned counsel for the applicant that issue involved in the matter is regarding dishonour of cheque of Rs. 1,00,000/-. The applicant is willing to settle the dispute by way of compromise.

Learned Government Advocate has accepted notice on behalf of State of U.P./opposite party no.1.

Let a notice be issued to opposite party no.2 through C.J.M. concerned returnable at an early date.

Put up this case as fresh on 05.12.2023."

4-As per office report dated 04.12.2023, notice has been served upon opposite party no.2, but no one has put in appearance on his behalf.

5-On the matter being taken up, learned counsel for the applicant submits that he may be allowed to move an appropriate application for settlement/compromise with the complainant. He

further submits that he does not want to press other reliefs as claimed by means of this application.

6-In view of the above, reliefs as claimed by the applicant by means of this application is refused.

7-The instant application is **disposed of** with the direction that in case the applicant moves an application for compromise in the matter within three weeks, the same shall be decided by the trial court in accordance with law.

Order Date :- 5.12.2023

Kashifa