

**Court No. - 86**

**Case :- APPLICATION U/S 482 No. - 35122 of 2023**

**Applicant :- Smt. Kaushal Raghav**

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

**Counsel for Applicant :- Anand Prakash Dubey, Prashant Kumar Dubey**

**Counsel for Opposite Party :- G.A.**

**Hon'ble Rajiv Gupta, J.**

1. Heard learned counsel for the applicant, learned AGA for the State and perused the record.
2. The present application under Section 482 Cr.P.C has been filed to direct the Judicial Magistrate/ Civil Judge (Jr. Div.)/ F.T.C., Meerut to grant some time to the applicant for depositing the dues amount in pursuance of the compromise dated 22.10.2021 in Complaint Case No.1934 of 2018 (M/s Akil Enterprises Vs. Smt. Kaushal Raghav), under Section-138 of the Negotiable Instruments Act, 1881, Police Station-Nauchandi, District-Meerut.
3. Contention of learned counsel for the applicant is that in pursuance of the earlier order dated 31.01.2020 passed in APPLICATION U/S 482 No.4339 of 2020, applicant and opposite party no.2 have entered into a compromise dated 08.10.2021 in Complaint Case No.1411 of 2018 (M/s Akil Enterprises Vs. Smt. Kaushal Raghav), under Section-138 of the Negotiable Instruments Act, 1881, pending in the court of Additional Chief Judicial Magistrate, Court No.1, Meerut.
4. As per the above compromise, applicant was required to pay Rs.42,00,000/-, within a period of one year which can be extended for further period of four months but because of COVID-19 pandemic, the applicant paid only Rs.20,85,000/- and seeks further time to deposit the remaining outstanding as decided in the above mentioned agreement.
5. Considering the aforesaid submission, it would be appropriate that the applicant will move an application, before the court below for extension of time and in case such application is filed within a period of 15 days then court

below will consider the application of the applicant and pass appropriate order regarding extension of time to clear the remaining outstanding as per the agreement between the parties.

6. For a period of one month or till disposal of the aforesaid application, whichever is earlier, no coercive action shall be taken against the applicant in case no.1934 of 2018 (M/s Akil Enterprises Vs. Smt. Kaushal Raghav), under Section-138 of the Negotiable Instruments Act, 1881, Police Station-Nauchandi, District-Meerut.

7. With the aforesaid observations, the present application under Section 482 CrPC is **disposed of**.

**Order Date :- 3.11.2023**

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