

Court No. - 92

Case :- APPLICATION U/S 482 No. - 35596 of 2023

Applicant :- Vishal Rao Chandrel

Opposite Party :- State Of U.P. . And Another

Counsel for Applicant :- Ashok Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri Ashok Kumar Yadav, learned counsel for the applicant and Sri Prem Prakash Tripathi, learned A.G.A. for the State.

2. The instant application has been filed seeking quashing of the summoning order dated 24.5.2022 passed by the Additional Chief Judicial Magistrate, Court No.6, Allahabad in Complaint Case No. 2390 of 2021, under Section 138 Negotiable Instruments Act, Police Station Naini, District Allahabad (Rabiya Khatoon Vs. Vishal Rao Chandrel).

3. Learned counsel for the applicant submits that the cheque amount was already Rs. 14,575.00/- and due to the non-appearance of the applicant herein, the learned trial court has issued non-bailable warrant against the applicant herein on 5.4.2023. Therefore, looking at the cheque amount involved, learned counsel for the applicant submits that the applicant is ready and willing to deposit the double of the cheque amount within a period of three weeks from today and ready to compound the offence before the learned Magistrate.

4. In view of the aforesaid submissions made by learned counsel for the applicant, the instant application is disposed of with a direction to the applicant to deposit a sum of Rs. 29,150.00/- before the learned Magistrate within a period of three weeks from today. On such deposit of the amount before the learned Magistrate by the applicant, the said complaint case may be compounded in accordance with law by the learned Magistrate and if such amount is deposited by the applicant within a period of three weeks from today, the non-bailable warrant issued against the applicant shall be kept in abeyance for a period of three weeks from today.

5. With the aforesaid observation, the instant application is **disposed of.**

Order Date :- 12.10.2023

CS/-