

Court No. - 88

Case :- APPLICATION U/S 482 No. - 37758 of 2023

Applicant :- Bittua Rana

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

Counsel for Applicant :- Brij Lal Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Singh,J.

Heard Shri Brij Lal Shukla, learned counsel for the applicant and learned A.G.A. for the State.

The instant application under Section 482 Cr.P.C. has been preferred by the applicant with a prayer to quash the summoning order dated 19.05.2023 and proceeding of Complaint Case No. 2109 of 2023 (Rahul Kumar Tyagi Vs. Bittu Rana), under Section 138 N.I. Act, Police Station Rohta, District Meerut, pending in the Court of learned Civil Judge (Junior Division) Meerut.

Learned counsel for the applicant submits that the applicant is on bail in the present case and the dispute in this case is with regard to dishonor of Cheque No. 645137 of Rs. 8,00,000/- issued by the applicant to the opposite party no.2/ complainant.

At the outset learned counsel for the applicant submits that he does not want to press this application on merit. Since the applicant is willing to settle the dispute by way of mediation. Therefore, he may be allowed to move an appropriate application before the concerned Court below.

Learned A.G.A. has no objection to such prayer.

In view of the statement made by learned counsel for the applicant, the relief at sought for by means of this application is hereby refused.

However, considering the aforesaid alternative prayer, it is directed that in case the applicant moves an application for settlement of the dispute within three weeks, the same shall be decided by the concerned Court below in accordance with law in the light of the judgment of the Apex Court in the case of **Damodar S. Prabhu Vs. Sayed Babalal H., 2010 (5) SCC 663.**

With the aforesaid direction, the instant application is **disposed of.**

Order Date :- 6.11.2023//Anurag/-