

Court No. - 92

Case :- APPLICATION U/S 482 No. - 39840 of 2023

Applicant :- Anubhav Gupta And Another

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

Counsel for Applicant :- Nitesh Vishwakarma, Ankur Vishwakarma

Counsel for Opposite Party :- G.A.

Hon'ble Anish Kumar Gupta, J.

1. Heard Sri K.C. Vishwakarma, learned Advocate, holding brief of Sri Nitesh Vishwakarma, learned counsel for applicants and Sri Prem Prakash Tiwari, learned AGA for State.

2. The instant application, under Section 482 Cr.P.C. has been filed praying for staying the operation of non-bailable warrant against the applicants passed on 24.08.2023 in Complaint Case No. 1235 of 2020, Sony v. Anoop Gupta and Others, under Section 498-A and 506 IPC and 3/4 DP Act, by the learned Additional Chief Judicial Magistrate, III, Jaunpur.

3. Learned counsel for applicants submits that the applicants herein is the brother-in-law and sister-in-law of the Opposite Party No.2 and the instant application has been filed due to matrimonial discord between the parties. The Opposite Party No.2 has already solemnized the marriage with some other person and a Complaint Case No. 746 of 2022 has already been registered against her and she has been summoned vide order dated 14.07.2023. Learned counsel for the applicant submits that applicant No.1 is residing at Bangalore and the applicant No.2 is residing at Mumbai in connection with their jobs and other persons (husband, father and mother-in-law) are participating in the proceedings before the trial court. Learned counsel for the applicant further submits that if an opportunity is granted to the applicants, they will also appear before the trial court concerned and participate in the proceedings.

4. In view thereof, as the limited prayer made by the learned counsel for applicants, the applicants are directed to appear before the trial court within a period of four weeks from today and participate in the proceedings before the trial court in the aforesaid complaint case, on such appearance, the trial court shall pass an appropriate order in accordance with law. However, till the period of four weeks from today, no coercive

action shall be taken against the applicants, and non-bailable warrants issued against them shall be kept in abeyance.

5. With the aforesaid observations, the instant application is disposed of .

6. It is made clear that if the applicants fail to appear within a period of four weeks, the trial court shall take all appropriate steps ensuring their presence.

Order Date :- 2.12.2023

Akram