

Court No. - 89

Case :- APPLICATION U/S 482 No. - 38914 of 2023

Applicant :- Pramod Gupta

Opposite Party :- State Of U.P. And 5 Others

Counsel for Applicant :- Sanjay Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Deepak Verma,J.

1. Heard learned counsel for the applicant and learned AGA for the State.
2. The present 482 Cr.P.C. application has been filed to quash the order dated 06.09.2023 passed by Special Judge (DAA)/Additional Session Judge/F.T.C., Court No.1, Etah in Misc. Case No.486 of 2023 (Pramod Gupta vs. Virendra Kumar and others), under section 156(3) Cr.P.C., Police Station Rijore, District Etah, treating the application of applicant under section 156(3) Cr.P.C. as a complaint case and further direct the learned court below to reconsider the complaint of applicant and pass a fresh order accordingly.
3. Learned AGA has raised objection that instant application u/s 482 Cr.P.C. has been filed against the order dated 06.09.2023 passed by Additional Session Judge, has treated 156(3) Cr.P.C. application as complaint and against which revision is maintainable.
6. In view of the above, the present 482 application is **dismissed** with liberty to file revision.
7. Office is directed to return the certified copy, if any, after retaining the zerox copy of the same on record.

Order Date :- 11.12.2023

SKD