

Court No. - 89

Case :- APPLICATION U/S 482 No. - 39888 of 2023

Applicant :- Ajit Kumar Jain

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

Counsel for Applicant :- Nitinjay Pandey

Counsel for Opposite Party :- G.A., Prashant Sharma

Hon'ble Deepak Verma, J.

1. Heard learned counsel for the applicant; Sri Prashant Sharma, Advocate, who has filed Vakalatnama on behalf of opposite party no. 2 learned A.G.A. for the State and perused the record.

2. The present 482 Cr.P.C. application has been filed to quash the summoning order dated 01.04.2015 as well as entire proceedings of Complaint Case No. 220 of 2022 (Ravi Jain Vs. Ajit Kumar Jain) under Section 420 I.P.C., P.S. Lohamandi, District Agra, pending in the court of learned ACJM (court no. 11) District Agra.

3. Counsel for the applicant has challenged the impugned orders dated 01.09.2018 and 28.04.2021. It has been submitted that No offence against the applicant is disclosed and the present prosecution has been instituted with a malafide intention for the purposes of harassment.

4. Per contra, learned A.G.A. vehemently opposed the prayer for quashing the proceedings of the aforesaid case and submitted that There is no illegality in the order impugned.

5. Considering the submissions of learned counsel for the parties, I am of the opinion that the impugned order does not suffer from any illegality or infirmity nor it can be said to be an abuse of the process of court. Counsel for the applicant submits that parties have settled the dispute and entered into compromise but no compromise application has been filed till date.

6. However, if the applicant and opposite party no. 2 approach before the court concerned along with compromise entered into between the parties, the court shall pass appropriate order after verifying the documents produced by the parties in accordance with law.

7. The application is disposed of with the above direction.

Order Date :- 30.10.2023

Meenu Singh