

Court No. - 4

Case :- APPLICATION U/S 482 No. - 40626 of 2023

Applicant :- Yashwant Singh Alias Rishu Singh

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

Counsel for Applicant :- Amit Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The applicant has preferred present application under Section 482 Cr.P.C. with the prayer to quash the order dated 09.10.2023 passed in Criminal Case No.339 of 2022 (Yashwant Singh Vs. Smt. Reena Singh) under Section 126 (2) Cr.P.C. passed by Principal Judge, Family Court Siddharth Nagar by which the applicant was directed to deposit 25% of the balance amount in pursuance of the order dated 18.05.2022.
3. It is argued by learned counsel for the applicant that due to financial hardship, the applicant is not in a position to deposit the amount as per order dated 09.10.2023 passed by the Principal Judge, Family Court Siddharth Nagar and Court below without considering the financial condition of the applicant, passed the order, hence a prayer has been made to reduce quantum of amount as has been directed by the Court below to be deposited in favour of the opposite party No.2.
4. Heard learned counsel for the applicant and learned Standing Counsel for the State/respondent No.1.
5. In the facts and circumstances of the case and considering the financial capacity of the applicant, this application 482 Cr.P.C. is disposed of directing the applicant to deposit 20% of balance

amount in place of 25% as awarded by the Court below in favour of the opposite party No.2 within a month from today.

6. However, it is clarified that in the event of default in compliance of directions issued hereinabove, the order passed today shall cease to operate and the Court below is free to recover the same.

Order Date :- 3.11.2023

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