

Court No. - 39

Case :- FIRST APPEAL DEFECTIVE No. - 453 of 2023

Appellant :- Smt Geetanjali

Respondent :- Yashpal Singh Visht And 4 Others

Counsel for Appellant :- Kamlesh Prasad, Shailendra Kumar

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Heard Sri Kamlesh Prasad learned counsel for the appellant.
2. Present appeal has been filed under Section 19 of the Family Courts Act, 1984. It is directed against the judgment and order dated 24.2.2021 passed by the Additional Chief Judicial Magistrate, Court No. 2 Allahabad in Case No. 8225 of 2008 (Smt. Geetanjali Vs. Yashpal Singh and others) under Sections 406 IPC and Section 6 Dowry Prohibition Act, Police Station Naini, District Allahabad.
3. Thus, it is writ large on the face of record that the judgment and order arose on a criminal complaint lodged by the appellant against her husband and others.
4. It is elementary that any appeal against such an order could only have been filed under the Cr.P.C.. However, that elementary knowledge or realisation has escaped the attention of the learned counsel for the appellant namely Sri Kamlesh Prasad.
5. In view of the above, present appeal is **dismissed as withdrawn** leaving it open to the appellant to pursue her remedy before the appropriate Court. Let certified copy of the impugned order be returned to the learned counsel for the appellant after retaining a photo copy of the same on record.

6. Let a copy of this order be communicated to the High Court Bar Association, Allahabad.

Order Date :- 6.12.2023

Faraz

(Shiv Shanker Prasad, J.) (S. D. Singh, J.)