

Court No. - 12

Case :- APPLICATION U/S 482 No. - 9900 of 2023

Applicant :- Shubham Sahu

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko.
And Another

Counsel for Applicant :- Pradyumn Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh,J.

1. Heard learned counsel for the applicant as well as learned A.G.A. for the State.

2. The present application has been filed for quashing the impugned summoning order dated 20.06.2022 passed by Presiding Officer, Extra Court Room No.5, Lucknow in Complaint Case No.14946 of 2022 U/s 138 of N.I. Act, Police Station- Ghazipur, District- Lucknow as well as bailable warrant dated 14.03.2023 passed in the above-mentioned complaint case and entire proceeding of Complaint Case No.14946 of 2022.

3. Learned counsel for the applicant submits that cheque of sum of Rs.52,700/- was issued by applicant to private respondent on 25.01.2022. In this regard, the said cheque was placed before the bank in question but the same was dishonoured. He further submits that complaint was filed by private respondent on 04.03.2022, thereafter, sum of Rs.21,500/- was paid by applicant with the statement that rest of the amount will also be paid. It is, thus, submitted that indulgence of this Court is necessary.

4. Learned A.G.A. opposes the prayer of applicant and submits that all these facts cannot be examined at this stage.

5. Considering the submissions of learned counsel for the applicant, learned A.G.A. and going through the contents of application as well as other relevant documents; it is evident that the sum of Rs.21,500/- has already been paid by applicant to private respondent and he is also ready to pay rest of the amount out of Rs.52,700/-. In such circumstances, all these facts cannot be considered at this stage.

6. In view of above, the present application is **disposed of** with the direction to trial court that in case, applicant appears before

it through counsel and files objection then the same shall be considered and decided in accordance with law.

7. Till the disposal of above-mentioned objection, no coercive steps be taken against the applicant.

Order Date :- 11.10.2023

Arpan