

Court No. - 13

Case :- APPLICATION U/S 482 No. - 11515 of 2024

Applicant :- Pragya Gautam

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

Counsel for Applicant :- Eshan Kumar Gupta, Shashank Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The instant application is filed with the prayer to quash the entire proceeding arisen out of Case Crime No.351/2021, Sections 323, 504, 506 I.P.C., Police Station Hazratganj, District Lucknow.
3. Learned counsel for the applicant submits that applicant was the employee in the company of the private respondent and salary was due, later on, cheque of amounting Rs.1,50,000/- was given to her but same was dishonored, then application under Section 138 of N.I. Act was filed on 25.11.2020. He further submits that an F.I.R. No.103/2024 under Sections 323, 504, 506 I.P.C., Police Station Gahmar, District Ghazipur was lodged on 26.6.2024 and investigation is still going on. He further submits that one F.I.R. No.351/2021 under Sections 323, 342, 384, 392, 504, 506 I.P.C., Police Station Hazratganj, Lucknow was lodged related to the incident dated 5.8.2020, thereafter, charge sheet was submitted by the Investigating Officer with the collusion of private respondent and thereafter, complaint case was filed against father of the applicant. Learned counsel for the applicant submits that charge sheet was wrongly filed by the Investigating Officer, therefore, kind indulgence of this Court is necessary.
4. Learned A.G.A. oppose the prayer of the applicant and submits that after detail investigation, charge sheet has been filed by the Investigating Officer.
5. Considering the submissions of learned counsel for the applicant, learned A.G.A. going through the

contents of the application, it is evident from the record that charge sheet in the case in question was filed on 22.11.2021 for the offence under Sections 323, 504, 506 I.P.C., it is also evident that statements have not been annexed with the present application, therefore, this Court is of the view that at this stage, the evidences collected by the Investigating Officer cannot be evaluated, in such circumstances, application is misconceived and is hereby, **dismissed**.

Order Date :- 19.12.2024

Gaurav/-