**In The Hon'ble High Court Of Himachal Pradesh At Shimla**

CrMP (M) No.: \_\_\_\_\_\_of 2004

MEMO OF PARTIES

Petitioner

Versus

Respondents

Application under Section 482 of Criminal Procedure Code for quashing of proceedings under Sections \_\_\_\_\_\_ of IPC before the Ld. Court \_\_\_\_\_\_\_ in the interest of justice

Shimla                                                                                      Petitioner

\_\_\_\_\_\_                                                                                    Through, Advocate

GROUNDS OF APPEAL

RESPECTFULLY SHEWETH

1. That briefly stated the facts of case are that \_\_

2. That Your Lordship's humble petitioner is invoking the extra-ordinary jurisdiction of this Hon'ble court and seeking indulgence on the following grounds amongst other each one of which is without prejudice to and independent of other :-

(a)   That \_\_\_\_\_\_

3. That the petitioner/applicant craves the leave of this Hon'ble court for filing of application on the above grounds amongst others which may be taken at the time of arguments.

4. That no similar petition has been filed by the petitioner on the similar grounds either in this Hon'ble court or the court of Session Judge.

5. It is, therefore, most humbly prayed that this Hon'ble Court may be pleased to allow the present application and quash the proceedings before the Ld. \_\_\_\_\_\_\_ in the interest of justice.  Such other orders as deemed fit and proper by this Hon'ble Court may kindly be also passed in favour of the petitioner/applicant in the interest of justice.

Shimla                                                                                                  Petitioner

\_\_\_\_\_\_

                                                                                                Through, Advocate

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

CrMP (M) No.: \_\_\_\_\_\_ of 2004

Petitioner/Applicant

Versus

Respondents/Non-applicants

Affidavit in support of CrMP under Section 482 of the CrPC

I,\_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_ of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at Shimla this the \_\_\_\_\_\_.

Deponent

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

CrMP No.:\_\_\_\_\_\_ of 2004 in CrMP (M) No.:\_\_\_\_\_\_ of 2004

Petitioner/Applicant

Versus

Respondents/Non-applicant

Application under Section 482 of CrPC for staying further proceedings in case \_\_\_\_\_\_\_ before the Ld. \_\_\_\_\_\_ during the pendency of CrMP (M) before this Hon'ble Court

Respectfully Sheweth:

1. That the petitioner/applicant has filed above CrMP (M) which is pending adjudication.  The grounds of the CrMP may kindly be read as part and parcel of the present application.

2. That it is apparent from perusal of the grounds of CrMP and the impugned action, that this Hon'ble court will be convinced and satisfied that the CrMP filed by the applicant is most likely to be allowed by this Hon'ble court.

3. That the interest of justice demands that further proceedings of the case \_\_\_\_\_\_ before the Ld. \_\_\_\_\_ fixed for \_\_\_\_\_\_ are stayed.  In case the proceedings are not stayed, the applicant will suffer irreparable loss and injury which cannot be compensated in terms of money.  No harm or prejudice will be caused to the respondents if the further proceedings before the Ld. court below are stayed.

4. It is, therefore, most respectfully prayed that this application may kindly be allowed and the further proceedings of case \_\_\_\_\_\_ before the Ld. Court below may kindly be stayed during and till the final disposal of the CrMP in the interest of justice.  Such other orders may also kindly be passed as deemed fit and proper in the facts and circumstances of the case in favour of the applicant in the interest of justice.

Shimla                                                                          Petitioner/Applicant

\_\_\_\_\_\_                                                                        Through, Advocate

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

CrMP No.:\_\_\_\_\_\_ of 2004 in CrMP (M) No.:\_\_\_\_\_\_ of 2004

                                                  Petitioner/Applicant

                                            Respondents/Non-applicants

Affidavit in support of CrMP under Section 482 of the CrPC

I, \_\_\_\_\_\_, do hereby solemnly affirm and declare as under:-

1. That the accompanying application has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_\_\_\_ of the accompanying application are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and true, no part of it is false and nothing material has been concealed therein.

Affirmed at Shimla this the\_\_\_\_\_\_\_\_.

Deponent

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

CrMP (M) No.: \_\_\_\_\_\_ of 2004

Petitioner

Versus

Respondents

INDEX

|  |  |  |  |
| --- | --- | --- | --- |
| Sl No | Annx | Particulars of Documents | Pages |
|  |  | Memo of Parties | 1 |
|  |  | CrMP (M) | 2 |
|  |  | Affidavit |  |
|  |  | CrMP |  |
|  |  | Affidavit |  |
|  |  | Power of Attorney |  |

Shimla                                                                                      Petitioner

\_\_\_\_\_\_                                                                                    Through, Advocate