

**In The Court of Special Judge (SC/ST, Prevention of Atrocities Act),
Bareilly**

Criminal Miscellaneous Case No. 433 of 2026

CNR No. UPBR01-006482-2026

Kamla Devi

Vs.

Janki Prasad etc.

17.06.2026

File is put up. Heard arguments of learned counsel of the applicant on application filed under Section 173 (4) BNSS and perused the record.

Applicant filed said application under Section 173(4) BNSS, supported with affidavit, stating therein that the complainant is a native of Namdarganj, she lives in Chandigarh and works as a labourer with her family. The complainant Kamla Devi, wife of Ramsaran, a Scheduled Caste Kori, is a resident of village Namdarganj, police station Sirauli, tehsil Aonla, district Bareilly. The complainant had gone to Chandigarh with her entire family. When the complainant returned to her home in Namdarganj from Chandigarh on 07.05.2026 at 05:00 a.m., she saw that the CC road in front of the complainant's gate was broken and the doors of the complainant's house were set on fire. Janaki Prasad, son of Ratan Lal Pali, and Janaki Prasad's wife Rajo Devi, who lived in the complainant's neighbourhood, and their four sons Yash Pal, Subhash, Vipin, Chandres, sons of Janaki Prasad, residents of Namdarganj police station Sirauli, were all at their home. The applicant complained to the above mentioned people at 7:00 am that why did they break her CC and set her gate on fire. At that time Rajo slapped her and said why did you come here you scoundrel. She ran towards her house when Rajo's husband and four sons caught her, beat her and tore her clothes with wrong intentions. Hearing her screams, her husband and the people of the neighborhood came running and seeing them, the above mentioned people left her and ran away. They started saying that you scoundrel, you have escaped this time, we will question you again. The above mentioned people threatened to kill her and ran away. The applicant went to Sirauli police station the same day to lodge her complaint but no action was taken. The applicant also submitted applications to the higher officials of the police administration but no action was taken. The above mentioned opponents are bent upon driving the applicant out of the village. Accordingly, prayed that pass orders to Sirauli Police Station to register a report against the above mentioned people and take legal action.

As per the report of concerned police station, no case has been registered at the police station in the said matter.

The applicant mainly alleged in her aforesaid application that on 07.05.2026 at 05:00 a.m., she saw that the CC road in front of the complainant's gate was broken and the doors of the complainant's house were set on fire. Janaki Prasad, son of Ratan Lal Pali, and Janaki Prasad's wife Rajo Devi, who lived in the complainant's neighbourhood, and their four sons Yash Pal, Subhash, Vipin, Chandres, sons of Janaki Prasad, residents of Namdarganj police station Sirauli, were all at their home. The applicant complained to the above mentioned people at 7:00 am that why did they break her CC and set her gate on fire. At that time Rajo slapped her and said why did you come here you scoundrel. She ran towards her house when Rajo's husband and four sons caught her, beat her and tore her clothes with wrong intentions. Hearing her screams, her husband and the people of the neighborhood came running and seeing them, the above mentioned people left her and ran away. In support of

her contentions, she filed copies of caste certificate, copies of application given to SHO Sirauli, CO Meerganj and SSP, photograph etc.

It shows that the applicant has complete knowledge and evidence in her possession, which she can present in court. The **Hon'ble Allahabad High Court**, in **Ram Babu Gupta v. State of Uttar Pradesh 2001 (43) ACC 50 (Allahabad)** and **Sukhvasi v. State of Uttar Pradesh 2007 (59) ACC 739 (Allahabad)**, has laid down the principle that the Magistrate can register an application 156(3) CrPc as a complaint and proceed further. A perusal of the averments as made in the said applicant clearly shows that the applicant has complete information regarding the date, place, and entire sequence of events in the case and can present complete evidence in this regard before the court. In such a situation, in light of the principles enunciated by the Honorable Allahabad High Court in the above case laws, it would be just to register the application submitted by the applicant under Section 173 (4) of the BNSS as a complaint case and proceed as per the law.

Order

The application submitted by applicant Kamla Devi filed under Section 173 (4) of the BNSS, is registered as a complaint case in accordance with rule. File is to be put up on 29.06.2026 for recording evidence of complainant under Section 223 BNSS.

(Abhai Srivastav)
JO Code- UP6216
Special Judge (SC/ST Act), Bareilly.
17.06.2026