

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>C-528 No.1043 of 2026</u> <u>Hon'ble Alok Mahra, J.</u></p> <p>Mr. Gaurav Singh, learned counsel for the applicants.</p> <p>2. Ms. Pushpa Bhatt, learned Addl. Advocate General along with Mr. S.C. Dumka, learned A.G.A. for the State.</p> <p>3. Present C-528 application has been filed to quash the chargesheet, cognizance/summoning order dated 28.01.2025 passed by learned Additional Chief Judicial Magistrate Roorkee, District Haridwar in Criminal Case No.97 of 2025.</p> <p>4. Learned counsel for the applicant would submit that the complainant and his son are habitual in filing false and fabricated complaints against the applicants; that, there exists a long-standing dispute between the applicants and the complainant's family; that, pursuant to such animosity, an FIR was lodged by respondent no.2 alleging that on 16.12.2022 the applicants assaulted his son, and again on 20.12.2022 assaulted the complainant himself; that, after investigation, a chargesheet was filed and cognizance was taken by the learned Magistrate; that, against the said proceedings, the applicants preferred Criminal Case No. C-528</p>

		<p>No.1384 of 2025, wherein the Coordinate Bench of this Court, vide order dated 12.08.2025, was pleased to stay the proceedings before the trial court.</p> <p>5. He would further submit that earlier also, the complainant had filed a complaint under Section 156(3) Cr.P.C. against the present applicants, which was dismissed by the concerned Magistrate; that, the revision preferred against the said dismissal was also rejected by the revisional court; that, this demonstrates the complainant's repeated attempts to misuse the process of law; that, respondent no.2 and his family members have themselves committed fraud against applicant no.1 by executing a sale deed on the basis of forged documents, pursuant to a conspiracy; that, on the complaint of applicant no.1, an FIR was registered against the complainant and his son, and after investigation, a chargesheet under Sections 420 and 120-B IPC was filed; that, cognizance has been taken and trial is presently underway.</p> <p>6. He would further submit that the present FIR lodged by respondent no.2 is nothing but a counterblast intended to pressurize the applicants to withdraw the said criminal case; that, the applicants were neither present at the alleged place of occurrence nor did they abuse or assault respondent no.2;</p>
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that, they have falsely been implicated on the basis of a concocted story; that, the allegations are inherently improbable and unsustainable in law, therefore, the entire proceedings initiated against the applicants are an abuse of the process of law and the same are liable to be quashed in the interest of justice.

7. This Court finds some substance in the submission made by learned counsel for the applicant, which definitely requires deliberation.

8. Issue notices to respondent no.2, returnable at an early date.

9. Steps to be taken within one week.

10. List after service of notice upon respondent.

11. Objections, if any, be filed by the State/respondent.

12. Meanwhile, as an interim measure, further proceedings of Criminal Case No.97 of 2025 pending before the court of learned Additional Chief Judicial Magistrate Roorkee, District Haridwar shall remain stayed *qua* the applicants till the next date of listing.

13. Stay application stands disposed of accordingly.

(Alok Mahra, J.)

19.05.2026