



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 3544 of 2026**

Chandrabhan @ Chandrabhan Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Mahima Maurya Kushwaha, Mukesh  
Kumar Kushwaha

Counsel for Opposite Party(s) : G.A.

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**Court No. - 78**

**HON'BLE AVNISH SAXENA, J.**

1. Shri Mukesh Kumar Kushwaha, learned counsel for applicant appeared and submits that the FIR of enticement has been lodged by the father of victim. He submits that the victim herself has left her house due to atrocities of her step mother. Further submits that the Investigating officer has not recorded the statement of victim under Section 164 CrPC. He submits that the presently the accused applicant and victim are married having two children. He seeks interference of this Court.

2. Learned A.G.A. for State seeks time to file counter affidavit.

3. Issue notice to opposite party no. 2 returnable at an early date.

4. List on **07.04.2026**.

5. In the meantime, parties may exchange affidavits.

6. Considering the marriage between the accused applicant and victim having children, further proceeding of Case No. 2909 of 2025 (State Vs. Chandrabhan) arising out of Case Crime No. 0494/2023, under Section 363 IPC, P.S.- Gandhi Park, District- Aligarh, **is stayed**.

**(Avnish Saxena,J.)**

**February 5, 2026**

Sharad/-