



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 1527 of 2026

Mohan Singh Kushwaha

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Abhishek Kumar Chaubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Abhishek Kumar Chaubey, learned counsel for the applicant and Sri Alok Kumar, learned A.G.A. for the State.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Criminal Case No. 12993 of 2025, arising out of Case Crime No. 532 of 2024, under Sections 419, 420, 120-B of I.P.C., Police Station- Robertsganj, District- Sonbhadra, as well as cognizance/ summoning order dated 27.11.2025 pending in the Court of Chief Judicial Magistrate, Sonbhadra.

Learned counsel for the applicant submit that the first information report dated 22.07.2024 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. However, the present applicant is not named in the F.I.R. It is further submitted that as per allegations of the F.I.R, there is a dispute with regard to forged registration of tractor. As per pre-summoning evidence, offence of hatching conspiracy has been assigned but there is no pre-summoning evidence in this regard. The present applicant is an agency owner to John Deer Tractor.

Prima facie, matter requires consideration.

Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.

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

Learned A.G.A. as well as learned counsel for the opposite party no. 2 may file counter affidavit within two weeks. Rejoinder affidavit may be filed within one week thereafter.

List after eight weeks.

Until further orders of this Court, further proceedings of the aforesaid case, shall remain stayed against the applicant.

February 4, 2026

Ishan

(Sanjay Kumar Pachori,J.)