



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 555 of 2026

Mohammad Waseem

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Revisionist(s)	:	Ankit Agarwal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 87

HON'BLE ABDUL SHAHID, J.

1. Heard learned counsel for the revisionist and the learned AGA for the State.

2. The present criminal revision has been preferred challenging the order dated 14.1.2026, passed by the learned Additional Sessions Judge/Fast Track Court, Court No.2, Prayagraj in Session Trial No. 2009 of 2024 (arising out of case crime No. 46 of 2024) (State Vs. Ran Vijay Singh and others), under Sections 147, 148, 323, 386, 342, 354, 504, 506, 376 and 34 IPC, Police Station Kareli, District Prayagraj, whereby discharge application has been rejected.

3. Learned counsel for the revisionist has submitted that he has been falsely implicated in the present offence. His discharge application has wrongly been rejected by the learned trial court. There has been nine days delay in registration of the FIR and no reasonable explanation has been given for the delay.

4. As per prosecutions story, the FIR has been lodged by the opposite party no.2 against four named accused persons on 26.3.2024 at about 23:57 hours stating that on 15.3.2024 at about 11.20 pm in the night when the opposite party no.2 after doing her duty was going back to her home, the named accused persons alongwith one unknown person came at Manohar Das Ki Bagiya with their Swift Desire Car and forcibly took her inside and started filthy abuses where co-accused Ran Vijay had threatened her to take back her case, otherwise they would kill her husband. In the said case, the investigation took place and the I.O. recorded the statement of opposite party no.2 under Section 161 Cr.P.C. He supported the prosecution version.

5. The opposite party no.2 was medically examined by the doctor and as per he medical report, he had not sustained any injury on her body. The I.O had recorded statement of independent witnesses under Section 161 Cr.P.C. Thereafter, almost 20 days from the alleged incident, the I.O has recorded the statement of husband of opposite party no.2, namely, Monish Parvez Ansari under Section 161 Cr.P.C, in which he revealed the name of actual culprits. Thereafter, statement of opposite party no.2 was also recorded. The statement under Section 164 Cr.P.C. of the opposite party no.2 has also been recorded. Thereafter on 12.7.2024, the opposite party no.2 gave an application to S.H.O, P.S. Kareli, Prayagraj stating that at the behest of people, her husband in his statement under Section 161 Cr.P.C has stated Wasim's father as Nasim Khan instead Mohd. Salim. In pursuance of said application, the Investigating Officer

has recorded the additional statement of opposite party no.2 and her husband Monis Parvez Ansari, then they reiterated the same version as stated in the application dated 12.7.2024. The name of the revisionist has been impleaded on the basis of the application approximately after four months of the incident. There has been no identification done by the opposite party no.2. The husband of opposite party no.2 Monis Parvez Ansari had recorded the statement under Section 161 Cr.P.C. and specified the name of the culprits Mohd. Waseem son of Nasim Khan, who was other than the present revisionist. The present revisionist is Mohammad Wasseem son of Mohammad Saleem.

6. There are serious contradiction in the identity of the revisionist in the said case, whereas, the FIR has been delayed lodged. The statement of opposite party no.2 and her husband was also recorded belatedly and in their statements, name of the revisionist was not came into existence. All these facts has to be considered and this requires consideration.

7. In view thereof, issue notice to the opposite party no.2 by usual course.

8. Counter affidavit may be filed within three weeks. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

9. Meanwhile, further proceedings of Session Trial No. 2009 of 2024 (arising out of case crime No. 46 of 2024) (State Vs. Ran Vijay Singh and others), under Sections 147, 148, 323, 386, 342, 354, 504, 506, 376 and 34 IPC, Police Station Kareli, District Prayagraj, pending in the court of Additional Sessions Judge/Fast Track Court, Court No.2, Prayagraj against the present revision, shall remain stayed. However, it is made clear that session trial proceedings against other co-accused would remain continue.

10. This order has been granted exparte, hence in view of principle of natural justice, the revisionist is hereby directed to take steps by Speed Post/Registered AD within three days and file supplementary affidavit in compliance thereof within a week, failing which the appropriate order for vacation of interim order may be passed on the next date.

11. List this case **as fresh on 25.3.2026.**

February 12, 2026

sfa/

(Abdul Shahid,J.)