



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 3886 of 2026**

Chhotu @ Pankaj

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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|-------------------------------|---|---------------|
| Counsel for Applicant(s)      | : | Kulveer Singh |
| Counsel for Opposite Party(s) | : | G.A.          |

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**Court No. - 76**

**HON'BLE SANJAY KUMAR PACHORI, J.**

Sri Kulveer Singh, learned counsel for the applicant and Sri Rahul Pandey, learned A.G.A. for the State are present.

The present application under Section 528 of Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Special Case No. 2179 of 2025, arising out of Case Crime No. 89 of 2025, under Section 2/3 of U.P. Gangsters and Anti-Social Activities (Prevention) Act, P.S. Charthawal, District Muzaffarnagar as well as cognizance/ summoning order dated 23.12.2025, pending in the court of Special Judge (Gangsters Act)/Additional Sessions Judge, Court No. 5, Muzaffarnagar.

Learned counsel for the applicant submitted that impugned FIR dated 29.04.2025 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that the present applicant has been implicated in the present case on the basis of solitary case crime being Case Crime No. 408 of 2023, under Sections 380, 411, 457 of IPC. However, the proceedings of Case Crime No. 408 of 2023 has been stayed by a Co-ordinate Bench of this Court in Application U/S 528 of BNSS No. 45773 of 2025 vide order dated 19.11.2025.

*Prima facie*, matter requires consideration.

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

Issue notice to private opposite party no. 2 through C.J.M. concerned, returnable at an early date.

Learned A.G.A. as well as private opposite party no. 2 may file a counter affidavit within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

List this case after eight weeks.

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

**March 23, 2026**

MAA/-

**(Sanjay Kumar Pachori,J.)**