



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5058 of 2026

Rajkumar Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vipin Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 81

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State respondents.
2. Present application under Section 528 B.N.S.S. has been preferred for quashing the Chargesheet dated 19.04.2025 as well as Cognizance/Summoning order dated 21.04.2025 as well as entire proceeding of Case No. 250 of 2025, arising out of Case Crime No.17 of 2025, under Sections 316(2), 316(5), 319(2), 318(4), 338, 336(3), 340(2), 61(2) BNS and 65 I.T. Act, Police Station Lalganj, District Mirzapur, pending in the Court of A.C.J.M., Mirzapur.
3. It is submitted by learned counsel for the applicant that the applicant is not named in the FIR dated 22.01.2025, which was lodged against four persons, including the son-in-law of the applicant. Thereafter, the applicant was also made accused with the aid of section 61(1) BNS on 03.03.2025 and his confessional statement was also recorded wherein he allegedly stated that he has hands in gloves with his son-in-law Alok Kumar Singh. It is also submitted that police could not collect any credible evidence against the present applicant and being the lawyer, he was falsely implicated in the present case. The applicant is aged about 65 years.
4. Per contra, learned AGA opposed the prayer and submitted that the involvement of the applicant was found during course of investigation.

5. The matter requires consideration.
6. Issue notice to opposite party no. 2 returnable at an early date.
7. The opposite parties may file their counter affidavit within six weeks.
8. Rejoinder affidavit, if any, may thereafter be filed within two weeks.
9. List thereafter.
10. Till the next date of listing, further proceedings of the aforesaid case shall remain stayed against the applicant only and the case of the applicant is distinguishable from the case of other co-accused, who are named in the FIR.

(Vivek Kumar Singh,J.)

February 20, 2026

Nitendra