



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5347 of 2026

Vidyasagar

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

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

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Gokaran Singh, learned counsel for the applicant and Shri A.K. Rai, learned A.G.A. for the State.

The present application under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant to quash the entire proceedings of criminal case No. 1343 of 2025, arising out of case crime No. 116 of 2024, under Sections 504, 506, I.P.C., Police Station- Ghosi, District Mau as well as cognizance/summoning order dated 21.2.2025, pending in the court of Chief Judicial Magistrate, Mau.

Learned counsel for the applicant submits that the first information report dated 23.3.2024 with regard to incident dated 21.3.2024 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 there is no pre-summoning evidence to constitute the essential ingredients of the offence punishable under Section 504, I.P.C. against the applicant. It is further submitted that opposite party No. 2 is real brother of the present applicant. It is further submitted that there is a dispute with regard to ancestral property between the parties and other criminal cases are also pending for petty offences.

Prima facie, matter requires consideration.

Learned A.G.A. has accepted notice on behalf of opposite party No. 1.

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

Learned A.G.A. as well as opposite party no. 2 may file their counter affidavits within three 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.

March 17, 2026

T. Sinha

(Sanjay Kumar Pachori,J.)