



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5124 of 2026

Yogesh Sharma

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

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

Court No. - 82

HON'BLE PADAM NARAIN MISHRA, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present application u/s 528 BNSS has been filed with a prayer to quash the entire proceedings of Complaint Case No. 1292 of 2025 (Sunil v. Sobha and Others), under Section 420 of IPC, P.S. Surajpur, District Gautam Budh Nagar, pending in the Court of IInd Additional Chief Judicial Magistrate, Gautam Budh Nagar.
3. Learned counsel for the applicant submitted that impugned complaint has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the applicant. It is further submitted that in the present case allegation against the accused are that they have not executed a sale deed after receiving all the payments. It is further submitted that the allegation which has been made in the complaint is against the Yogesh Dubey and Sobha Devi and all the payment has been made in the account of Sobha Devi. It is further submitted that the present applicant is Yogesh Sharma and not the Yogesh Dubey and no amount is said to be received by the Yogesh Sharma.
4. Prima facie, matter requires consideration.
5. Notice on behalf of State has been accepted by learned A.G.A.
6. Issue notice to respondent no. 2 through C.J.M. concerned, returnable at an early date.
7. Learned A.G.A. as well as respondent no. 2 may file their counter

affidavits within four weeks.

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

9. List this case after six weeks.

10. Till the next date of listing, no coercive action shall be taken against the applicants in the aforesaid case.

March 23, 2026
Akram

(Padam Narain Mishra,J.)