



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 5735 of 2026

Achchhe Lal Yadav

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	: Atul Kumar Pandey, Vimal Kumar
Counsel for Opposite Party(s)	: G.A., Prem Prakash Yadav, Virendra Kumar Yadav

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Sri Atul Kumar Pandey learned counsel for the applicant, Sri Prem Prakash Yadav, learned counsel for the opposite party no. 2 and Sri M.K. Singh, learned AGA for the State.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Criminal Case No. 14492 of 2025, arising out of Case Crime No. 241 of 2024, under Sections 419, 420, 467, 468, 504, 506, 406 of IPC., Police Station- Bhadohi, District Bhadohi, as well as cognizance/ summoning order dated 25.03.2025, pending in the Court of Chief Judicial Magistrate, Bhadohi at Gyanpur.

Learned counsel for the applicant submit that the first information report dated 15.11.2026 with regard to the incident dated 22.03.2024 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 the impugned FIR has been lodged on the basis of Application u/s 156(3) of Cr.P.C. It is further submitted that as per allegations of the F.I.R, there is a dispute with regard to breach of terms of contract to sell and purchase of vehicle between the parties. It is further submitted that instead of filing a civil suit for decree of specific performance of contract/recovery of money, the impugned F.I.R. has been lodged. The first informant converted a civil dispute into a criminal case.

Prima facie, matter requires consideration.

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

A.G.A.

Learned A.G.A. as well as learned counsel for the opposite party no. 2 may file counter affidavit within two 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 applicants.

March 18, 2026

A.N. Mishra

(Sanjay Kumar Pachori,J.)