



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 8275 of 2026

Subhash Sharma

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Mishra Vikas Kumar
Prabhunath, Prashant Ji
Pandey

Counsel for Opposite Party(s) G.A.

Court No. - 83

HON'BLE SANJIV KUMAR, J.

1. Supplementary affidavit filed on behalf of the applicant is taken on record.
2. Heard Sri Prashant Ji Pandey, learned Counsel for the applicant and learned A.G.A. for the State.
3. Learned Counsel for the applicant submits that the FIR against the applicant has been lodged on false and concocted facts. The applicant was neither involved nor present at the place of occurrence at the time of the alleged incident. He further submits that, as per the FIR, the applicant has been arrayed as an accused on the basis of a video recording, however, during the course of investigation, the said video recording was examined by the Investigating Officer, in which the applicant was not seen.
4. Learned A.G.A. submits that the applicant may have been in a position that was not captured in the video recording. The statement of the injured, Lalit, states that the applicant, along with others, was present at the place of occurrence and committed the offence.

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

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

7. All the opposite parties may file their counter affidavits within two weeks. Rejoinder affidavit may be filed within a week, thereafter.

8. List this case on **06.07.2026** as fresh.

May 6, 2026

Amit

(Sanjiv Kumar,J.)