



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 6123 of 2026**

Devendra

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Akhlendra Pratap Singh, Deleep Kumar Chaudhari

Counsel for Opposite Party(s) : G.A.

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**Court No. - 74**

**HON'BLE SANJAY KUMAR PACHORI, J.**

Heard Shri Akhlendra Pratap Singh, learned counsel for the applicant and Sri M.K. Singh, learned A.G.A. for the State.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Case Crime No. 179 of 2024, under Sections 447, 506 of I.P.C., Police Station- Murad Nagar, District- Ghaziabad as well as cognizance/ summoning order dated 15.07.2024 pending in the Court of A.C.J.M., Court No. 6, Ghaziabad.

Learned counsel for the applicant submits that the first information report dated 20.03.2024 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 as per allegations of the F.I.R., all the allegations are purely civil dispute and in this regard a civil suit being Original Civil Suit No. 203 of 2024 (Brahm Pal Singh Vs. Smt. Vishwambari) for a decree of cancellation of sale deed dated 16.01.2024, which is pending between the parties. It is further submitted that 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.

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

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 applicant.

**(Sanjay Kumar Pachori,J.)**

**February 20, 2026**

Vibha Singh