



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 6335 of 2026

Vishal Singh @ Loha Singh

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Hari Nath Chaubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SANJAY KUMAR PACHORI, J.

Supplementary affidavit filed today, which is taken on record.

Heard Shri Hari Nath Chaubey, learned counsel for the applicant and Sri Karunakar Singh, learned A.G.A. for the State.

As per instructions, learned A.G.A. pointed out that information with regard to present application has been served upon opposite party no. 2/ informant but no one has appeared on behalf of the opposite party no. 2.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Special Case No. 1735 of 2025, arising out of Case Crime No. 210 of 2025, under Sections 75, 333, 351(2), 352 of B.N.S. and Section 7/8 of POCSO Act, Police Station- Akbarpur, District- Kanpur Dehat, as well as cognizance/ summoning order dated 07.11.2025 pending in the Court of Additional Sessions Judge, Court No. 13/ (Special Judge POCSO Act), Kanpur Dehat.

Learned counsel for the applicant submit that the first information report dated 06.05.2025 with regard to incident dated 28.06.2025 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 pre-summoning evidence, including the statement of father of the victim and eye witnesses, there is no pre-summoning evidence to constitute the offence as alleged against the applicant. It is further submitted that both the parties are family members and related to common ancestral. It is further submitted that there is a dispute with regard to constructions of pillar between the parties.

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.

April 10, 2026
Ishan

(Sanjay Kumar Pachori,J.)