



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 6527 of 2026

Md Arshad Quraishi @ Chotu

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

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

Court No. - 76

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Kshitij Tiwari, Advocate holding brief of Shri Naveen Singh, learned counsel for the applicant and Shri Abhishek Kumar, learned A.G.A. for the State.

The present application under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant to quash the entire proceedings of Special Case No. 127 of 2025, arising out of case crime No. 465 of 2024, under Section 2(kha) 17, 3(1) of U.P. Gangsters and Anti-Social Activities (Prevention) Act, Police Station- Jahanaganj, District Azamgarh as well as cognizance/summoning order dated 1.4.2025, pending in the court of Additional Sessions Judge/Special Judge (Gangsters Act) Court No. 6, Azamgarh.

Learned counsel for the applicant submits that the first information report dated 31.8.2024 in support of gang chart 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 on the basis of solitary criminal case as case crime No. 193 of 2024, under Section 429/34 of I.P.C., Section 3/5/5A/8 of U.P. Prevention of Cow Slaughter Act, Section 11 of The Prevention of Cruelty to Animals Act, Section 4/25 of Arms Act and Section 7 of Criminal Law Amendment Act, Gangsters Act has been imposed against the applicant and there is no evidence with regard to earned money from the aforesaid criminal cases.

Prima facie, matter requires consideration.

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

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

Learned A.G.A. as well as opposite party no. 2 may file their counter affidavits within three 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.

March 23, 2026
T. Sinha

(Sanjay Kumar Pachori,J.)