



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1760 of 2026

Virendra Singh Yadav

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s) : Harish Chandra Mishra
Counsel for Respondent(s) : Dhirendra Bahadur Singh, G.A.

Court No. - 51

HON'BLE MADAN PAL SINGH, J.

1. Heard Sri Harish Chandra Mishra, learned counsel for the appellant, Sri Dhirendra Bahadur Singh, learned counsel for the opposite party no.2, learned AGA for the State and perused the record.

2. Learned counsel for the appellant submits that the learned court below has failed to conduct any proper inquiry or call for a police report before issuing the summoning order and has mechanically relied upon the statements recorded under Sections 200 and 202 Cr.P.C., which are themselves contradictory, unreliable, and supported only by interested witnesses. The allegations made in the complaint do not constitute any offence under Section 387 IPC or the provisions of the SC/ST Act, particularly as no incident is alleged to have occurred in public view and no independent witness has supported the case. It is also submitted that the complainant has a history of lodging false cases, as is evident from the FIR lodged against him by the Bank Manager of Punjab National Bank, Bangra, in which the appellant had conducted a fair investigation and submitted a charge-sheet. The present complaint has thus been filed as a counterblast to the said proceedings and with an ulterior motive to extract illegal gratification. The appellant, being a Sub-Inspector with an unblemished service record, has been falsely implicated, despite not being present at the alleged place of occurrence.

3. Learned A.G.A. prays for and is allowed three weeks' time to file counter affidavit. Rejoinder, if any, may be filed within two weeks

thereafter.

4. List thereafter.

5. Till then, no coercive steps shall be taken against the appellant in pursuance of the Complaint Case No. 32 of 2018, under Section 387 IPC and Section 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, P.S. Sarkar, district Jhansi.

(Madan Pal Singh,J.)

April 30, 2026

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