



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 6704 of 2026

Ahmad Ali And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Ram Swaroop (Singh), Saurabh
Pandey, Shivakant Singh
Counsel for Opposite Party(s) : G.A.

Court No. - 73

HON'BLE DEEPAK VERMA, J.

1. Heard learned counsel for the applicants; Sri Dharmdas Srivastava holding brief of Sri Anwar Ali who has received instructions on behalf of opposite party no. 2; learned A.G.A. for the State and perused the record.
2. The present 528 B.N.S.S. application has been filed to quash the summoning order dated 24.12.2025 as well as entire criminal proceeding of Complaint Case No.157208 of 2023 (Smt Nasreen Nisha versus Ahmad Ali & other) Police Station-Chamanganj, District Kanpur Nagar, under Section-498-A, 323 I.P.C & 4 of D.P. Act against applicant No-1(Ahmad Ali), under section-498-A 323/34 I.P.C & 4 of D.P. Act against applicant No-2&3(Km. Zainab & Baano) under section- 354 I.P.C against Applicant No-4(Saeed Ahmad), pending before learned court of Additional Civil Judge (J.D) 10th/Judicial Magistrate Kanpur Nagar.
3. Counsel for the applicants submits that applicants are innocent and have been falsely implicated in the present case. Instant complaint is false, baseless and has been lodged with malicious intention. The applicant No. 1 is husband of daughter of opposite party No. 2. After marriage, dispute arose between the husband and wife and opposite party no. 2 lodged F.I.R. against all the family members of her husband. Prima facie, no offence is made out against the applicants No. 2 to 4.
4. So far as the husband-applicant no. 1, namely, Ahmad Ali, is concerned, prima facie, ingredients of the offence alleged are made out.

The prayer to quash the same is hereby refused, at this stage as the argument raised by learned counsel for the applicants involves factual disputes and appraisal of evidence.

5. So far as the applicant nos. 2 to 4 are concerned, the present application is entertained in view of the judgment of Apex Court in **Geeta Mehrotra and Another Vs. State of U.P. and Another** reported in AIR 2013 SC 181.

6. Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.

7. List thereafter.

8. Till the next date of listing, no coercive action shall be taken against the applicants no. 2 to 4 in the aforesaid case.

(Deepak Verma,J.)

March 16, 2026

Meenu Singh