



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 9241 of 2026

Abhay Dubey

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)

: Manoj Kumar Dwivedi

Counsel for Opposite Party(s)

: G.A.

Court No. - 81

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State respondents.
2. Present application under Section 528 B.N.S.S. has been preferred for quashing the Chargesheet dated 18.09.2022 and summoning/cognizance order dated 01.04.2023 as well as entire proceeding of Session Trial No. 782 of 2023 (State vs. Jawahar Yadav and Others), arising out of Case Crime No. 338 of 2021, under Section 3(1) of U.P. Gangsters and Anti Social Activities (Prevention) Act, 1986, Police Station Khorabar, District Gorakhpur, pending in the court of learned Additional Session Judge/Special Judge, (Gangster Act), Gorakhpur.
3. It is submitted by the learned counsel for the applicant that no joint meeting had taken place between the authorities and on that ground proceedings against the co-accused Om Prakash Jaiswal had already been quashed by a co-ordinate Bench of this Court vide order dated 14.07.2025 in the Application U/S 528 BNSS No.19876 of 2025. It is further submitted by the learned counsel for the applicant that the case of the applicant is at par with the case of aforesaid co-accused, therefore, proceedings against the applicant are also liable to be quashed.
4. Learned AGA is directed to obtain instructions in the matter within one week.
5. Put up this case as fresh on 24.03.2026.
6. Till the next date of list, proceedings of aforesaid case shall remain stayed

against the applicant only.

7. Connect with Application U/S 528 BNSS Nos.49681 of 2025 and 3714 of 2026.

(Vivek Kumar Singh,J.)

March 17, 2026
Radhika