



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 8238 of 2026

Divyanshu Tripathi

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sushil Kumar Dubey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 74

HON'BLE DEEPAK VERMA, J.

1. Heard learned counsel for the applicant and learned A.G.A. for the State.
2. The present 528 BNSS application has been filed to quash the entire criminal proceeding of Complaint No.11 of 2025 (Neelendra Pratap Singh Vs. Shanti Sheet Grah Pvt. Ltd. Rageda C 8 Industrial and others) under Section 138 of Negotiable Instrument Act, Police Station-Kotwali Orai, District-Jalaun, pending before the Court of Learned Additional Civil Judge (Junior Division), 1st Jalaun at Orai as well as Impugned Summoning Order dated 13.10.2025 passed by Learned Additional Civil Judge (Junior Division), 1st Jalaun at Orai.
3. Learned counsel for the applicant submits that it is apparent from para 2 of the complaint that cheque was issued by two Directors, namely, Brajendra Kumar Singh and Indrakant Tripathi and the same was submitted before Bank for encashment but returned with marked "kindly contact drawer". He further submits that applicant had not issued cheque and applicant is son of one Late Indrakant Tripathi, who issued cheque, applicant having no concern with the issuance of cheque in favour of opposite party no.2.
4. Matter requires consideration.
5. Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.

6. Issue notice to opposite party no.2 returnable at an early date.
7. Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.
8. List thereafter.
9. Till the next date of listing, further proceedings against the applicant in Complaint No.11 of 2025, under Section 138 of Negotiable Instrument Act, Police Station-Kotwali Orai, District-Jalaun, pending before the Court of Learned Additional Civil Judge (Junior Division), 1st Jalaun at Orai, shall remain **stayed**.

(Deepak Verma,J.)

March 26, 2026

Nitin Verma