



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 8610 of 2026

Gauri Shankar Verma And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	: Brij Raj Singh, Dharmendra Prasad, Mohammad Javed, Prabhakar Vardhan, Suryakant Verma
Counsel for Opposite Party(s)	: G.A.

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Brij Raj Singh, learned counsel for the applicants and Sri Chavipal Singh, learned A.G.A. for the State.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Criminal Case No. 72975 of 2025 arising out of Case Crime No. 416 of 2025, under Section 317(2) of B.N.S. Police Station- Gola, District- Gorakhpur, as well as cognizance/ summoning order dated 15.11.2025 pending in the Court of Judicial Magistrate, Court No. 2, Gorakhpur.

Learned counsel for the applicants submits that the first information report dated 20.08.2025 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicants. However, the impugned F.I.R. has been lodged against unknown persons. Except the confessional statement of co-accused Sonu, (which is irrelevant) who has been arrested on the basis of information received from police informer. It is further submitted that there is no other pre-summoning evidence with regard to alleged offence against the applicants.

Prima facie, matter requires consideration.

Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.

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

Learned A.G.A. as well as learned counsel for the opposite party no. 2 may file counter affidavit within two 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 applicants.

March 19, 2026

Ishan

(Sanjay Kumar Pachori,J.)