



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 24002 of 2022

Sanju

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Prashank Mishra, Shriman Narayan
Tiwari

Counsel for Opposite Party(s) : G.A.

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Prashank Mishra, learned counsel for the applicant and Sri Ashwani Kumar Rai, learned A.G.A. for the State.

The present application under Section 482 of Cr.P.C. has been filed to quash the entire proceedings of Criminal Case No. 4060 of 2021, arising out of Case Crime No. 89 of 2021 under Sections 420, 467, 468, 471 of I.P.C., Police Station- Kotwali, District- Mainpuri, as well as cognizance/ summoning order dated 13.10.2021 pending in the Court of Chief Judicial Magistrate, Mainpuri.

Learned counsel for the applicant submit that the first information report dated 07.02.2021 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that opposite party no. 2 is real brother of the applicant. As per allegations of the F.I.R, forged affidavit has been filed by the Nagar Palika Parishad in a mutation proceedings, which has been decided in favour of present applicant. All the allegations are related to purely civil dispute. There is no pre-summoning evidence with regard to offence as alleged against the applicant. The first informant converted a civil dispute into a criminal case.

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 applicant.

February 17, 2026

Ishan

(Sanjay Kumar Pachori,J.)