



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 11014 of 2026

Pooja Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashutosh Upadhyay
Counsel for Opposite Party(s)	:	G.A.

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

1. Heard Sri Ashutosh Upadhyay, learned counsel for the applicant and Sri Rahul Pandey, learned brief holder for the State.
2. The present application under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant to quash the entire proceeding of Criminal Case No.159 of 2026 (State of U.P. Vs. Pooja Singh), arising out of Case Crime No.304 of 2024, under Section 108 B.N.S., Police Station- Mariyadoo, District-Jaunpur as well as cognizance/summoning order dated 14.01.2026, pending in the court of Additional Chief Judicial Magistrate, Court No.12, Jaunpur.
3. Learned counsel for the applicant submits that the first information report dated 18.10.2024 with regard to incident dated 29.08.2024 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 the present applicant is wife of the deceased. It is also contended that no suicide note has been collected during the course of investigation. It is further contended that the marriage of the present applicant with the deceased was solemnized on 14.02.2016. It is further submitted that as per the medical examination report, cause of death is asphyxia due to ante-mortem hanging and except the ligature mark, no other external injury was found on the deceased person. It is also submitted that the dead body of the deceased was recovered after breaking the door of the room, which was situated at the first floor. It is further contended that there is no pre-summoning evidence to constitute the essential ingredients of the offence as alleged against the applicant.

4. Prima facie, matter requires consideration.
5. Learned A.G.A. has accepted notice on behalf of Opposite Party No. 1.
6. Issue notice to opposite party no.2 returnable at an early date.
7. Learned A.G.A. as well as opposite party no. 2 may file their counter affidavits within three weeks. Rejoinder affidavit may be filed within one week thereafter.
8. List after eight weeks.
9. Until further orders of this Court, further proceedings of the aforesaid case shall remain stayed against the applicant.

(Sanjay Kumar Pachori,J.)

March 19, 2026

K.N.