

Court No. - 71

Case :- APPLICATION U/S 528 BNSS No. - 12360 of 2025

Applicant :- Harendra

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ranjeet Kumar Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

Heard learned counsel for the applicant and learned AGA for the State.

It has been argued by learned counsel for the applicant that the impugned complaint has been lodged by the opposite party No. 2/complainant making false and baseless allegations. The marriage of applicant was fixed with complainant but due to certain reasons, marriage could not be solemnized. On 01.07.2022 the complainant has lodged a first information report against the applicant for the offence under Sections 376, 313 IPC and Section 3/4 D.P. Act but during investigation the allegation of rape was found false and charge-sheet was submitted only for the offence under Section 3/4 D.P. Act. After that the complainant has lodged another first information report on 11.09.2022 under Sections 376, 506 IPC and in that matter after investigation police have submitted final report. The opposite party No. 2/complainant has preferred a protest petition, which was registered as a complaint case, and after that the applicant has been summoned. Referring to the material on record, it was submitted that the allegations levelled against the applicant are wholly false and improbable and that the impugned proceedings are malicious and thus, liable to be quashed.

Matter requires consideration.

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

Steps be taken within a week.

Opposite party No. 2 may file counter affidavit within four weeks.

List on 13.08.2025.

Till the next date of listing, no coercive action shall be taken against the applicant in complaint case No. 5047 of 2023, under Sections 376, 506 IPC, pending in the court of C.J.M., Bulandshahr.

Order Date :- 15.4.2025/Anand