



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 12166 of 2026

Ashiq Ali And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Himanshu Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 82

HON'BLE PADAM NARAIN MISHRA, J.

1. Heard learned counsel for the applicants and learned A.G.A. for the State.
2. The present application u/s 528 BNSS has been filed with a prayer to quash the entire proceedings of Complaint Case No. 32965 of 2025, under Sections 316(2), 352, 115(2), 351(2) of B.N.S., P.S. Highway, District Mathura, pending in the Court of Chief Judicial Magistrate, Mathura.
3. Learned counsel for the applicants submitted that complaint case has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the applicants. It is further submitted that allegations against the applicants are that they have borrowed money from the complainant to construct their house and when he asked for the same to return they have committed marpeet, abused and extended threat. It is further submitted that there is no medical report on the record to support the complainant's version.
4. Prima facie, matter requires consideration.
5. Notice on behalf of State has been accepted by learned A.G.A.
6. Issue notice to respondent no. 2 through C.J.M. concerned, returnable at an early date.
7. Learned A.G.A. as well as respondent no. 2 may file their counter affidavits within four weeks.

8. Rejoinder affidavit, if any, be filed within two weeks thereafter.
9. List this case after six weeks.
10. Till the next date of listing, no coercive action shall be taken against the applicants in the aforesaid case.

(Padam Narain Mishra,J.)

April 9, 2026
Israr