



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 13198 of 2026

Ajay Kaushik

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Ashish Goyal
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Ashish Goyal, learned counsel for the applicant and Shri Alok Mishra, learned A.G.A. for the State.

The present application under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed by the applicant to quash the entire proceedings of criminal case No. 96 of 2024, arising out of case crime No. 366 of 2021, under Sections 500, 506, I.P.C. and Section 66 of the Information Technology (Amendment) Act, 2008, Police Station- Chandpur, District Bijnor as well as cognizance/summoning order dated 26.2.2024, pending in the court of Civil Judge (J.D.)/Judicial Magistrate, Chandpur, Bijnor.

Learned counsel for the applicant submits that the first information report dated 18.6.2021 with regard to incident dated (no date is mentioned) 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 as per pre-summoning evidence, there is no name of the first informant in the alleged post. It is further submitted that both the parties are resident of same village. It is further submitted that there is no pre-summoning evidence with regard to offence, as alleged, against the applicant.

Prima facie, matter requires consideration.

Learned A.G.A. has accepted notice on behalf of opposite party No. 1.

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

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.

List after eight weeks.

Until further orders of this Court, further proceedings of the aforesaid case shall remain stayed against the applicant.

April 8, 2026
T. Sinha

(Sanjay Kumar Pachori,J.)