



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 3454 of 2026

Aayush Gupta @ Rinku Gupta

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)

: Kulveer Singh

Counsel for Respondent(s)

: G.A.

Court No. - 51

HON'BLE MADAN PAL SINGH, J.

1. Case called out in the revised call. Despite service of notice, no one has appeared on behalf of the opposite party no. 2 to press the present criminal appeal.

2. Heard Sri Kulveer Singh, learned counsel for the appellant and learned AGA for the State and perused the material available on record.

3. Learned counsel for the appellant submitted that the appellant is the editor of the newspaper "Reading Today". In the edition dated 01.08.2025, the appellant published a news report regarding the illegal demand for money by an outsourcing official in Khatauli Tehsil. Thereafter, the present FIR was lodged against the appellant on false and fabricated grounds. He further submitted that the witnesses in the present case namely Anshul and Shubham were also outsourcing employees in the said Tehsil and allegations had been made against both of them as well. Moreover, the informant in this case, Km. Arti, does not belong to the Scheduled Caste community. An inquiry in this regard was conducted by the Tehsildar, thereafter sent to the District Magistrate for cancellation of the caste certificate issued in her favour.

4. Learned counsel for the appellant contends that the impugned summoning order has been passed by the learned trial court in a routine and mechanical manner without application of judicial mind and is therefore liable to be quashed.

5. Matter requires consideration.

6. Learned counsel for the opposite parties may file counter affidavit within

three weeks time. Rejoinder affidavit, if any, may be filed within two week thereafter.

7. List thereafter.

8. Till the next of listing, no coercive action shall be taken against the appellant pursuant to the cognizance/summoning order dated 01.11.2025 passed by the learned Special Judge SC/ST Act, Muzaffar Nagar in Special Trial No. 92 of 2025 (State Vs. Ayush Gupta @ Rinku Gupta) arising of Case No. 306 of 2025.

May 6, 2026
Akbar

(Madan Pal Singh,J.)