



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 14459 of 2026

Kaushlendra Pratap Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

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

Court No. - 82

HON'BLE PADAM NARAIN MISHRA, J.

1. Heard learned counsel for the applicant 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 Criminal Complaint Case No. 383 of 2018/Computer No. 98 of 2018 (Smt. Nirmala Devi Vs. Nikhilesh Kumar Tiwari and Others) as well as summoning order dated 20.09.2019, under Section 506 of IPC, Police Station- Sarai Inayat, District-Allahabad, pending before Additional District/Special Judge (S.C./S.T. Act), Allahabad.
3. Learned counsel for the applicant submitted that the present complaint has been instituted by opposite party no. 2 as a counterblast to the earlier proceedings. It is further submitted that the applicant had previously lodged a First Information Report against the informant/opposite party no. 2, being Case Crime No. 191 of 2018, under Sections 406, 504 and 506 IPC at Police Station Sarai Inayat, District Prayagraj. Thereafter, the present complaint has been filed by the opposite party no. 2 with ulterior motives. It is contended that neither the complainant nor the witnesses have disclosed any specific role or involvement of the applicant in the alleged incident. He next submitted that the complainant and witnesses have not disclosed any kind of involvement to the applicant but the learned Court below summoned to the applicant under Section 506 of IPC.
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 thereafter.
10. Till the next date of listing, no coercive action shall be taken against the applicant in the aforesaid case.

(Padam Narain Mishra,J.)

April 9, 2026

Neetu