

Court No. - 72

Case :- APPLICATION U/S 528 BNSS No. - 16903 of 2025

Applicant :- Ankit

Opposite Party :- State Of U.P. And 2 Others

Counsel for Applicant :- Lal Bahadur

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori,J.

Ms. Neelam Yadav, Advocate holding brief of Sri Ram Sajiwan Prajapati, Advocate, filed vakalatnama on behalf of opposite party nos. 2 and 3 which is taken on record.

Office is directed to show the name of Sri Ram Sajiwan Prajapati, in the appropriate column of counsel in the next cause list.

Sri Lal Bahadur, learned counsel for the applicant, Ms. Neelam Yadav, Advocate holding brief of Sri Ram Sajiwan Prajapati, learned counsel for the opposite party nos. 2 and 3 and Sri J.P. Rai, learned A.G.A. for the State are present.

The present application u/s 528 of B.N.S.S. has been filed with prayer to quash the entire proceedings of Case No. 11611 of 2024, arising out of Case Crime No. 247 of 2024, under Sections 363, 366 of I.P.C., P.S. Amroha Nagar, District Amroha, as well as cognizance/summoning order dated 23.11.2024, pending in the Court of A.C.J.M., Amroha.

Learned counsel for the applicant submitted that impugned First Information Report dated 4.5.2024 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the applicant. It is further submitted that as per pre-summoning evidence, there is no allegation with regard to essential ingredients of offence punishable under Sections 363, 366 of I.P.C. It is further submitted that both the parties settled the matter by way of compromise. Victim/private opposite party no. 3 is residing with the applicant as wife and solemnized marriage with the applicant.

Prima facie, matter requires consideration.

Notice on behalf of respondent no. 1 has been accepted by learned A.G.A.

Learned A.G.A. as well as respondent no. 2 may file their counter affidavits within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

Put up this case on 23.9.2025, as fresh.

Till the next date of listing, further proceedings of aforesaid case shall remain stayed against the applicant.

Order Date :- 20.5.2025

A.P. Pandey