



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION DEFECTIVE No. - 935 of 2025

Sant Mandas Alias Pushpendra

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Anil Mullick, Satyendra Narayan
Singh, Vikas Singh

Counsel for Opposite Party(s) : G.A., Rajesh Tripathi

Court No. - 89

HON'BLE DIVESH CHANDRA SAMANT, J.

1. Learned counsel for the Revisionist, learned counsel for the opposite party No. 2 and learned AGA for the State are present.

2. A preliminary objection has been raised by learned counsel for the opposite party No. 2 that the affidavits of some Sushil Kumar has been submitted by the Revisionist in support of this Criminal Revision as well as in support of criminal misc. delay condonation application, which is false. The said deponent i.e. Sushil Kumar is not known to the Revisionist Sant Mandas. This fact has been mentioned in the counter affidavit filed against the criminal misc. delay condonation application. Para 3 of the counter affidavit is as under:

"3. That the contents of paragraph no.1 of the affidavit in support of Criminal Misc. Delay Condonation Application No. 01 of 2025 in aforesaid Application U/s 438/442 of B.N.S.S. 2023 has been sworn by one Shri Sushil Kumar S/o Jagveer Singh, Resident of Village Jatauli, Jithauli District Meerut, Uttar Pradesh. The deponent has been falsely shown to be nephew of the revisionist Sant Mandas.

The true fact is that Sh. Sushil Kumar is not known to the revisionist Sant Mandas. Sh. Sushil Kumar came to the High Court for filling writ petition in his personal case/ matters under article 227 No. 3794 of 2025. The said Sushil Kumar engaged Sri Vikas Singh, Advocate as his counsel.

Sri Vikas Singh, Advocate got two verification photos captioned / prepared. One verification photo was affixed in the affidavit filed the reply in case /matters under article 227 No. 3794 of 2025 of Sushil Kumar, while the second verification photo was misused by Revisionist / Sri Vikas Singh Advocate and was affixed in the affidavit of

the Criminal Revision of Sant Mandas falsely showing him to be the nephew.

In this matter, Sh. Sushil Kumar sent a complaint dated 21.06.2025 against the revisionist /Sant Mandas for misused his name, address, identity proofs and verification photos for preparing fake and forged Affidavit in Criminal Revision No. 935 of 2025 before Hon'ble Chief Justice High Court of Allahabad through registered post vide No. RU386903167IN. A complaint dated 21.06.2025 also sent to SSP Meerut with the request to lodge the FIR against revisionist /Mandas for misused his name, address, identity proofs and verification photos for preparing fake and forged Affidavit in Criminal Revision No. 935 of 2025.

In view of the above, the Revisionist / Advocate filed fake Affidavit, this Criminal Misc. Delay Condonation Application No. 01 of 2025 in present Criminal Revision Application U/s 438/442 of B.N.S.S. 2023 can not acceptable / considerable."

3. A rejoinder affidavit has been filed today on behalf of the Revisionist, which is taken on record. The para 4 of the rejoinder affidavit is as under:

"4. That in reply to contents of paragraph no. 3 of the counter affidavit of delay condonation, contents of paragraph no. 1 of affidavit, filed in support of delay condonation application are reaffirmed to the extent, that deponent is nephew of applicant/revisionist and has been rightly mentioned, as nephew of applicant, rest of averments made in paragraph no. 3 of counter affidavit, are denied for want to knowledge"

4. It is evident that the affidavits filed in support of Criminal Revision as well as criminal misc. delay condonation application has been challenged by the opposite party No. 2 that those affidavits are fake, whereas, in the rejoinder affidavit, another deponent namely, Narendra Singh has re-affirmed the affidavit filed in support of criminal misc. delay condonation application to the extent that the deponent Sushil Kumar is the nephew of the applicant/Revisionist and rest of averments of para 3 of the counter affidavit are denied.

5. Since, the affidavits filed in support of Criminal Revision and criminal misc. delay condonation application has been challenged, the Revisionist is required to counter this allegation by filing a rejoinder affidavit of Sri Sushil Kumar.

6. Therefore, the Revisionist is directed to file the affidavit of Sri Sushil

Kumar, who is said to have filed those affidavits in support of Criminal Revision and also to file a rejoinder affidavit in regard to the allegations made by the opposite party No. 2 by way of counter affidavit.

7. This rejoinder affidavit shall be filed within two weeks from today.

8. Put up as fresh after two weeks.

(Divesh Chandra Samant,J.)

February 18, 2026
ADY