

Court No. - 74

Case :- APPLICATION U/S 528 BNSS No. - 20600 of 2025

Applicant :- Priyanka Singh And 2 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Nidhi, Sushil Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori, J.

Supplementary affidavit filed today by learned counsel for the applicants is taken on record.

Heard Ms. Nidhi, learned counsel for the applicants and Shri Tej Bhan Singh, learned A.G.A. for the State.

The present application under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed to quash the entire proceedings of complaint case No. 4132 of 2019 (Smt. Sitarani Vs. Jaiprakash Singh and others) as well as cognizance/summoning order dated 11.7.2019, whereby learned magistrate took cognizance under Sections 392, 323, 504, 506, I.P.C., Police Station Nauchandi, District Meerut, pending in the court of Additional Chief Judicial Magistrate, Court No. 1, Meerut.

Delay in filing the present application is explained.

Learned counsel for the applicants submits that the complaint dated 1.7.2019 has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicants. It is further submitted that Private-Opposite Party No. 2/complainant is mother-in-law of applicant No. 1. It is further submitted that there is no medical examination report to substantiate the allegation of complaint. It is further submitted that impugned complaint has been filed as a counter blast case of case crime No. 2 of 2019, which has been registered on 4.1.2019 in the State of West Bengal, under Sections 498-A, 315, I.P.C. and Section 3/4 of Dowry Prohibition Act against the complainant and other relatives. It is further submitted that the complainant converted the matrimonial dispute into a criminal case.

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 applicants.

Order Date :- 9.7.2025

T. Sinha