



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 21471 of 2025

Azeez Fatima And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Firoz Haider
Counsel for Opposite Party(s)	:	G.A., Nayab Ahmad Khan

Court No. - 71

HON'BLE RAJ BEER SINGH, J.

Heard learned counsel for applicants, learned counsel for the informant / opposite party No. 2 and learned A.G.A. for the State.

It has been argued by learned counsel for the applicants that applicants are innocent and no prima-facie case is made out against them. It was submitted that there is property related dispute between the parties and that several cases have been lodged by the opposite party No. 2 / informant. Only general and vague allegations have been levelled against the applicants. It was further submitted that applicant Nos. 2, 3 and 4 are real sisters and applicant No. 1 is their mother. In alleged incident no one has sustained any injury. Referring to the facts of the matter, it was submitted that the impugned proceedings are malicious and thus, liable to be quashed.

Learned AGA and learned counsel for the informant / opposite party No. 2 have opposed the application and submitted that there are clear allegations that applicants have damaged the boundary wall of the house of informant and they have also pelted bricks. It was further submitted that after the incident police was also informed. Referring to first information report and statements of witnesses, it was submitted that a prima facie case is made out against the applicants.

Matter requires consideration.

The opposite parties may file counter affidavit within four weeks.

List on 11.11.2025.

Till the next date of listing, further proceedings of case No. 19162 of 2025, arising out of case crime no. 35 of 2025, under Sections 324(4), 352, 351(2), 125 BNS, P.S. Saraimaer, district Azamgarh, pending in the court of C.J.M., Azamgarh shall remain stayed against the applicants.

(Raj Beer Singh,J.)

September 2, 2025
Anand