



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 23342 of 2025

Amit Dubey Alias Babban

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shailendra Kumar Tripathi
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 BNS has been filed with a prayer to quash the entire proceedings of Criminal Case No.10774 of 2024 (State v. Amit Dubey), arising out of Case Crime No. 487 of 2023, under Sections 409, 174-A of IPC, P.S. Maudwaraja, District Farrukhabad, as well as charge sheet dated 09.08.2024 and cognizance order dated 28.8.2024, pending in the Court of Chief Judicial Magistrate, Farrukhabad.
3. Learned counsel for the applicant submitted that impugned FIR 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 in the present case, no offence under Sections 409, 174 of IPC is made out as the Tractor is said to have been seized under the Gangster proceedings, which was kept in the Guest House and the Guest House was earlier seized by the District Authorities.
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 this case after six weeks.

10. Till the next date of listing, no coercive action shall be taken against the applicants in the aforesaid case.

February 16, 2026
Akram

(Padam Narain Mishra,J.)