



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 25515 of 2025**

Rajeev Alias Rajeev Kumar Gautam And 2 Others

.....Applicant(s)

Versus

State Of U.P. And Another

.....Opposite  
Party(s)

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|-------------------------------|---|-------------------|
| Counsel for Applicant(s)      | : | Kailash Choudhary |
| Counsel for Opposite Party(s) | : | G.A.              |

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**Court No. - 83**

**HON'BLE SANJIV KUMAR, J.**

Heard Mr. Kailash Choudhary, learned counsel for the applicants, Mr. Akhilesh Kumar Mishra, learned AGA on behalf of the State and perused the record.

Learned counsel for the applicants submits that according to the prosecution, the alleged incident occurred on 26.07.2024, however, the medical examination of the injured has taken place on 27.04.2024, that is three months prior to the said incident, which discloses that the entire prosecution case is false and concocted.

A perusal of record shows that the injured witnesses have alleged that the alleged incident occurred on 26.07.2024 and the treating Doctor has also stated that he medically examined the injured persons on 27.07.2024, whereas there is some discrepancy with regard to the month mentioned in the injury report and the statement of treating Doctor.

On the previous date, instructions were sought from learned AGA. Today, learned AGA has sought two weeks' further time to seek instructions in the matter and file a counter affidavit.

Notices were issued to opposite party no.2, which are served upon him personally, however, no one has appears on her behalf to oppose this application.

Opposite Party no.2 may also file a counter affidavit, if any, within two

weeks.

Put up, as fresh, on 29.04.2026.

**April 7, 2026**  
Subham

**(Sanjiv Kumar,J.)**