

Court No. - 74

Case :- APPLICATION U/S 528 BNSS No. - 25478 of 2025

Applicant :- Yashveer Singh Alias Tinku

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

Counsel for Applicant :- Neetu Mishra, Sanskar Gaur, Satanand Mishra

Counsel for Opposite Party :- G.A.

Hon'ble Sanjay Kumar Pachori, J.

Heard Shri Sanskar Gaur, learned counsel for the applicant and Shri Rahul Pandey, learned brief holder 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. 945 of 2022 as well as cognizance/summoning order dated 26.5.2025, whereby learned magistrate took cognizance under Sections 323, 406, 506, I.P.C., Police Station Saifni, District Rampur, pending in the court of Additional Chief Judicial Magistrate, Court No. 3, Rampur.

Learned counsel for the applicant submits that the complaint dated 6.9.2021 has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that the applicant was driver of truck of Private-Opposite Party No. 2, which has been seized in a criminal case. It is further submitted that there is no allegation to commit marpeet with Private-Opposite Party No. 2. It is further submitted that there is no pre-summoning evidence with regard to offence, as alleged.

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.

Opposite party no. 2 may file counter affidavit 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 applicant.

Order Date :- 28.7.2025

T. Sinha