



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 25397 of 2024

Suresh Chandra Dubey

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Shubham Srivastava, Sunil Kumar
Srivastava

Counsel for Opposite Party(s) : G.A.

Court No. - 82

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Learned counsel for the applicant submits that he has filed the instant application under Section 482 Cr.P.C. with the relief which has been mentioned in the prayer clause of the application.
2. The relief which has been mentioned in the application is delineated below:-

"It is, therefore, most respectfully prayed that the Hon'ble Court may graciously be pleased to quash the Charge sheet dated 04.12.2023 along with cognizance order dated 10.06.2024 passed by Additional Chief Judicial Magistrate, Chibramau Kannauj, as well as proceeding of Case no. 2580 of 2023 arising out of Case Crime no. 625 of 2022 State of U.P. versus Sheel Kumar Hajela and others, under Section 420, 467, 468, 471, 120B & 506 I.P.C. P.S. Kotwali Chibramau district Kannauj pending in the court of Additional Chief Judicial Magistrate, Chibramau Kannauj."

3. In the connected application, i.e., Application under Section 482 Cr.P.C. No. 17717 of 2024, the Hon'ble Supreme Court vide order dated 30.09.2024 expedited the matter and directed the Court to decide this application.

4. Learned counsel for the applicant submits that though the State has given affidavit in this matter, the complainant respondent has not filed any counter affidavit. It is further submitted that till date no rejoinder affidavit has been filed against the counter affidavit filed by the State.

5. One last opportunity is granted to the learned counsel for the applicant to file rejoinder affidavit.

6. In case the rejoinder affidavit is not filed by the counsel for the applicant, the Court will hear this application treating that the applicant does not wish to rebut the contentions made in the counter affidavit. Accordingly, both the applications shall be decided by this Court on the next date fixed.

7. As the matter has been expedited by the Hon'ble Supreme Court, therefore, there is no need of extending the interim order. The trial court shall also proceed with the matter without waiting whether the case is heard on merit or not.

8. As soon as the learned counsel for the applicant will appear before this Court after filing the rejoinder affidavit, the Court will hear the matter. Liberty is also granted to the learned counsel for the applicant to mention this case on the next date, the Court will hear this matter as the Hon'ble Supreme Court has expedited the proceedings of the application.

9. List this case on **11.12.2025 along with the connected matters.**

10. Sri Pankaj Kumar Tripathi, learned A.G.A. is directed to communicate this order to the concerned trial court and the Registrar (Compliance) of this Court is also directed to communicate this order to the concerned court, i.e., Additional Chief Judicial Magistrate, Chibramau Kannauj where the proceeding of Case no. 2580 of 2023, arising out of Case Crime no. 625 of 2022 (State of U.P. versus Sheel Kumar Hajela and others), under Sections 420, 467, 468, 471, 120B & 506 I.P.C., Police Station- Kotwali Chibramau, District- Kannauj is pending.

11. Office is directed to connect the application filed under Section 528 B.N.S.S. No. 37348 of 2025 (Saurabh Hajela and Another vs State of U.P.

and Another), which is pending as per the status.

12. Office is further directed to place the files of all the three applications before this Court on the next date fixed, i.e., on 11.12.2025.

(Praveen Kumar Giri,J.)

November 12, 2025
K.Tiwari