



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 30889 of 2025**

Sangeet Gupta

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Kanchan Sharma, Prashant Vyas, Sr.  
Advocate

Counsel for Opposite Party(s) : Dheeraj Singh (Bohra), G.A.

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**Court No. - 76**

**HON'BLE SANJAY KUMAR PACHORI, J.**

Short counter affidavit filed today is taken on record.

Sri G.S. Chaturvedi, learned Senior Advocate assisted by Sri Prashant Vyas, learned counsel for the applicant, Sri Anil Tiwari, learned Senior Advocate assisted by Sri Dheeraj Singh (Bohra), learned counsel for the private opposite party no. 2 and Sri Karunakar Singh, learned A.G.A. for the State are present.

The present application under Section 528 of Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Session Trial No. 663 of 2025, arising out of Case Crime No. 434 of 2024, under Sections 61(2), 3(5), 303(2), 317(2), 317(4), 336(3), 340(2), 338 of BNS and Sections 66, 66-B, 66-C, 43 & 84-B of I.T. Act, P. S. Ecotech-3, District Gautam Budh Nagar as well as cognizance/ summoning order dated 30.06.2025, pending in the court of Sessions Judge, Gautam Budh Nagar.

Learned Senior Counsel for the applicant submitted that impugned FIR dated 15.11.2024 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that as per allegations of FIR as well as pre summoning evidence, the present applicant after hacking computer of private opposite party no. 2 obtained certain documents, which have also been sent for F.S.L. examination, were found from the laptop of the present applicant have been used dishonestly for wrongful gain.

It is further submitted that private opposite party no. 2 and the applicant are partners of the same Firm and the matter is related to dispute of the partnership Firm and in this regard agreement for arbitration is written between the parties and the arbitration proceeding has been initiated to resolve the partnership dispute, which has been decided in favour of the applicant.

Learned Senior Counsel next contended that 08 cases have been lodged by the private opposite party no. 2 in various sections with regard to the subject matter of mis-management of partnership Firm. Out of 08 cases in 07 cases proceedings have been stayed by this court as well as Co-ordinate Bench of this Court. There is no pre summoning electronic evidence with regard to the fact that the present applicant hacked the computer of private opposite party no. 2.

Sri Anil Tiwari, learned Senior Advocate for the private opposite party no. 2 has vehemently opposed the prayer.

*Prima facie*, matter requires consideration.

Notice on behalf of opposite party no. 1 has been accepted by learned A.G.A.

Learned A.G.A. as well as private opposite party no. 2 may file a counter affidavit within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

List this case after eight weeks.

Until further orders, further proceedings of aforesaid case shall remain stayed against the applicant.

**May 7, 2026**

MAA/-

**(Sanjay Kumar Pachori,J.)**