



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 30476 of 2025

Prashant Pathak And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Aditi Tripathi, Vijay Tripathi
Counsel for Opposite Party(s) : G.A.

Court No. - 84

HON'BLE SANJIV KUMAR, J.

1. Heard Shri Vijay Tripathi, learned counsel for the applicants and learned A.G.A on behalf of the State.
2. This application under Section 528 B.N.S.S. has been filed by the applicants to quash entire proceedings of Complaint Case No.30 of 2019 (Vinod Kumar Dubey Vs. Umesh Chandra Pathak and Others) under Sections- 406, 504 and 506 I.P.C., Police Station- Bah, District- Agra, as well as cognizance/summoning order dated 03.06.2019.
3. It is submitted on behalf of the applicants that the dispute is essentially civil in nature and the dispute is with regard to payment of dues regarding the storage of potatoes in cold storage. It is further submitted that the father of the applicant had filed an application before the S.D.M. for payment of dues from the first informant and as a counterblast this application has been filed with an ulterior motive to put pressure upon the applicants.
4. Matter requires consideration.
5. Notice on behalf of opposite party no. 1 is accepted by learned A.G.A.
6. Issue notice to opposite party no. 2.
7. Opposite party no. 2, shall file counter affidavit, if any, within two weeks, after service of notice.
8. List on 10th April, 2026.
9. Till the next date of listing, further proceedings of Complaint Case No.30

of 2019 (Vinod Kumar Dubey Vs. Umesh Chandra Pathak and Others) under Sections- 406, 504 and 506 I.P.C., Police Station- Bah, District- Agra, shall remain stayed against the applicants.

February 16, 2026
AdityaG

(Sanjiv Kumar,J.)