



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 31901 of 2025

Devendra Kumar Sharma

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Akhilesh Chandra Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 82

HON'BLE SAMEER JAIN, J.

1. Heard Sri Akhilesh Chandra Shukla, learned counsel for the applicant and Sri Rajeev Dhar Dwivedi, learned AGA for the State.

2. Learned counsel for the applicant submitted that applicant was Junior Engineer in Urban Land Ceiling Department and as per allegation, he along with other accused filed false report before D.M. concerned and due to report submitted by them, government suffered huge losses but entire allegations levelled against the applicant are totally false.

3. He further submitted that merely on the basis of submitting a report, which may be allegedly wrong, it cannot be said that applicant committed criminal offence.

4. He further submitted that along with applicant, co-accused Surendra Prakash Gupta, Assistant Engineer, was also made accused with similar allegations and when he challenged the proceeding of the case vide Application U/s 528 BNSS No. 10316 of 2025 before this Court then this Court vide order dated 01.07.2025 was pleased to call counter affidavit.

5. He further submitted that instant application may be connected with the Application U/s 528 BNSS No. 10316 of 2025 (Surendra Prakash Gupta vs. State of U.P.) so as both the matters may be heard and disposed of simultaneously.

6. Considering the nature of allegation levelled against the applicant and argument advanced by learned counsel for the applicant, matter requires consideration.

7. State may file counter affidavit.
8. Connect the instant application with Application U/s 528 BNSS No. 10316 of 2025 (Surendra Prakash Gupta vs. State of U.P.).
9. List this case on 05.09.2025 along with connected matter in **top ten cases** in the category of daily cause list.
10. Till the next date of listing, further proceedings pending against the applicant in Special Appeal Case No. 16 of 2025 arising out of Case Crime No. 1084 of 2018 under Sections 13(1)(a), 13(2) P.C. Act and 409, 120 IPC Police Station-Civil Lines, District-Moradabad pending in the Court of Additional Sessions Judge/ Special Judge (P.C. Act) Court No.2, Bareilly shall remain stayed.

August 26, 2025
KK Patel

(Sameer Jain,J.)