



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 51902 of 2025

Mahendra Sharma Alias Manu

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Deepak Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 74

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Deepak Singh, learned counsel for the applicant and Sri Ashwani Kumar Rai, learned A.G.A. for the State.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Criminal Case No. 126 of 2025, arising out of Case Crime No. 890 of 2023, under Section 406 of I.P.C., Police Station- Kotwali, District- Mainpuri, as well as cognizance/ summoning order dated 20.01.2025 pending in the Court of Chief Judicial Magistrate, Mainpuri.

Learned counsel for the applicant submit that the first information report dated 18.12.2023 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 the impugned F.I.R. has been lodged by the Branch Manager of Bank of Baroda alleging that the applicant got loan on the basis of forged documents in the year of 2018. The charge-sheet has not been submitted under Sections 420, 467, 468, 471 of I.P.C. in which F.I.R. was also lodged. There is no pre-summoning evidence with regard to offence as alleged against the applicant. It is further submitted that the first informant converted a civil dispute into a criminal case.

Prima facie, matter requires consideration.

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

Issue notice to opposite party no. 2 returnable at an early date.

Learned A.G.A. as well as learned counsel for the opposite party no. 2 may file counter affidavit within two 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.

February 23, 2026
Ishan

(Sanjay Kumar Pachori,J.)