



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 32900 of 2025**

Mazhar Khan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Sayyed Kashif Abbas Rizvi  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 48**

**HON'BLE KSHITIJ SHAILENDRA, J.**

1. Heard learned counsel for the applicant and learned A.G.A.
2. This application has been filed challenging the charge-sheet dated 14.05.2025 as well as cognizance order dated 26.05.2025 in Case Crime No. 0314 of 2024 and all other consequential proceedings arising out of the impugned charge-sheet in Criminal Case No. 42 of 2025, pending before the learned Additional Chief Judicial Magistrate-III, Jaunpur, under Sections 419, 420, 467, 468, 471, 120-B I.P.C., Police Station- Sarai Khawaja, District- Jaunpur.
3. Learned counsel for the applicant submits that opposite party no. 2 is the real sister of applicant's wife and has been harassing the applicant in multiple proceedings. Reference of civil suit for partition, being Original Suit No. 432 of 2023, pending in Aurangabad (State of Maharashtra) has also been made, wherein the applicant's wife is plaintiff and informant is defendant no. 2. It is further stated that alleging some mutation entry made in relation to immovable property to be forged, proceedings were initiated by the opposite party no. 2, which formed subject matter of trial before the competent court at Maharashtra, wherein the applicant as well as his wife were acquitted by order dated 02.05.2022.
4. As regards the present matter is concerned, apart from raising allegations of malicious prosecution, it is contended that attack was made by the informant on LL.B. degree obtained by the applicant in the year 2019 from Sarvodaya Group of Institutions and though there is no

infirmity in the degree, which stands substantiated by the documents annexed, it is falsely alleged by opposite party no. 2 that the degree is forged and the institution is not affiliated to Veer Bahadur Singh Purvanchal University, Jaunpur, U.P.

5. It is further contended that LL.B. degree stands valid and has not otherwise been assailed before any competent forum and, therefore, on vague and false allegations, institution of criminal proceedings against the applicant, after he succeeded in other matter relating to the property and during pendency of a civil suit, amounts to harassment of the applicant.

6. It is further contended that the applicant is permanently settled at Maharashtra and not only civil suit but also the matter wherein the applicant along with his wife was acquitted relates to Maharashtra but F.I.R. has been lodged maliciously in Jaunpur merely because LL.B. degree was issued from Jaunpur.

7. Matter requires consideration.

8. Issue notice to opposite party no. 2.

9. Learned A.G.A. as well as opposite party no. 2 are granted six weeks' time to file counter affidavit. Rejoinder affidavit, if any, may be filed within two weeks thereafter.

10. List on **25.11.2025**.

11. Till the next date of listing, further proceedings in the aforesaid case shall remain stayed.

**(Kshitij Shailendra,J.)**

**September 9, 2025**

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