



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 34164 of 2025**

Firoz Khan

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Mahendra Bahadur Singh, Vijeta Singh  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 19**

**HON'BLE SANJIV KUMAR, J.**

1. Heard Ms. Vijeta Singh, learned counsel for the applicant and learned A.G.A on behalf of the State are present.
2. Supplementary affidavit filed by learned counsel for the applicant today in court, is taken on record.
3. This application under Section 528 B.N.S.S. has been filed by the applicant to quash entire proceedings of Case Crime No.174 of 2024, under Sections- 299 and 302 B.N.S., Police Station- Hayatnagar, District- Sambhal and charge-sheet dated 22.08.2024 as well as summoning order dated 19.04.2025, pending in the court of Judicial Magistrate, Sambhal.
4. A perusal of the record shows that the allegation against the applicant is that of committing offence under Sections 299 and 302 B.N.S. on the basis of the alleged viral video. It is submitted on behalf of applicant that there is no evidence at all against the applicant with regard to the alleged offence. From the statements of only two police witnesses, charge-sheet has been filed in the competent court. Earlier also, on the same facts an FIR was lodged against the applicant. It is further submitted that the applicant had sent letters to Hon'ble Prime Minister which has annoyed the first informant and thereby this FIR has been lodged on false and concocted facts.
5. Matter requires consideration.
6. Notice on behalf of opposite party no. 1 and 2 is accepted by learned A.G.A.

7. Issue notice to opposite party no. 3.
8. Opposite party no. 3, shall file counter affidavit, if any, within two weeks, after service of notice.
9. Put up on 27.03.2026, as fresh.
10. Till the next date of listing, further proceedings of Case Crime No.174 of 2024, under Sections- 299 and 302 B.N.S., Police Station- Hayatnagar, District- Sambhal shall remain stayed against the applicant.

**February 2, 2026**  
AdityaG

**(Sanjiv Kumar,J.)**