



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 36115 of 2025**

Imran Ahmad Khan

.....Applicant(s)

Versus

State Of U.P. And Another

.....Opposite  
Party(s)

---

Counsel for Applicant(s) : Ankit Agarval, Ankur Tyagi  
Counsel for Opposite Party(s) : G.A.

---

**Court No. - 74**

**HON'BLE SANJAY KUMAR PACHORI, J.**

Heard Shri Ankit Agarval, learned counsel for the applicant and Shri Chhavi Pal Singh, learned A.G.A. for the State.

The present application under Section 528 of Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed to quash the entire proceedings of complaint case No. 738 of 2024 as well as cognizance/summoning order dated 20.3.2025, whereby learned Magistrate took cognizance under Section 316(2) of B.N.S. (Section 406, I.P.C.), Police Station Rehra, District Amroha, pending in the court of Additional Civil Judge (Junior Division)/Judicial Magistrate, Outlying Court Hasanpur, Amroha.

Learned counsel for the applicant submits that the complaint dated 8.7.2024 has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that in another Application U/S 528 Nos. 36045 of 2025 and 36079 of 2025, which has been filed by the applicant, a Coordinate Bench of this Court sent the matter for mediation today. It is further submitted that there is a matrimonial dispute between the parties. It is further submitted that Private-Opposite Party No. 2 is wife of applicant.

Prima facie, matter requires consideration.

Learned A.G.A. has accepted notice on behalf of opposite party No. 1.

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

Opposite party no. 2 may file counter affidavit within three weeks. Rejoinder

affidavit may be filed within one week thereafter.

Connect with Application U/S 528 Nos. 36045 of 2025 and 36079 of 2025.

Put up this case as fresh on 10.12.2025.

Till the next date of listing, further proceedings of the aforesaid case shall remain stayed against the applicant.

**September 18, 2025**

T. Sinha

**(Sanjay Kumar Pachori,J.)**