



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 36218 of 2025

Manoj

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Pankaj Sharma, Prashant Sharma,
Shubham Singh

Counsel for Opposite Party(s) : G.A.

Court No. - 19

HON'BLE SANJIV KUMAR, J.

Heard learned counsel for the applicant, learned AGA on behalf of the State and perused the record.

This application under Section 528 B.N.S.S. has been filed on behalf of the applicants with the prayer to quash charge-sheet dated 08.09.2021 and cognizance/summoning order dated 05.10.2021 as well as entire proceedings of Case No. 1006 of 2021 (State Vs. Manoj), arising out of Case Crime No. 148 of 2019, under Sections 120B, 406, 420, 467, 468 and 471 IPC, Police Station Dhaulana, District Hapur, pending in the court of learned Additional Civil Judge (Jr. D.), IInd, Hapur.

Learned counsel for the applicants submits that there is no evidence against the applicant regarding the commission of offence. It is further submitted that the FIR has been lodged belatedly and there is no explanation of delay. It is also submitted by learned counsel for the applicant that the victim Harendra has given a statement to the Investigating Officer, in which he has said that the first informant has lodged the FIR against the applicant, Manoj, on false and fabricated facts.

A perusal of record shows that there is allegation against the applicant that he cheated the first informant and others under the pretext of facilitating them to get a job in Army, Railways and other departments. The first informant has stated that he had given Rs.11,10,000/- cash to the applicant for getting a job. The Investigating Officer after investigation

has filed charge-sheet in the case before the competent court.

Issue notice to opposite party no.2 returnable within three weeks.

Both opposite parties may file their respective counter affidavits within a week. Learned counsel for the applicant may file rejoinder affidavit, if any, within one week thereafter.

Put up, as fresh, on 17.03.2026.

(Sanjiv Kumar,J.)

January 28, 2026

Subham