



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 37348 of 2025

Saurabh Hajela And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Lavlesh Kumar Sharma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 75

HON'BLE SANJAY KUMAR PACHORI, J.

Sri Lavlesh Kumar Sharma, learned counsel for the applicant and Sri Pushp Raj Singh, learned brief holder for the State are present.

The present application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Case No. 2580 of 2023, arising out of Case Crime No. 625 of 2022, under Sections 420, 467, 468, 471, 120B, 506 of I.P.C., P.S. Chibramau, District Kannauj, as well as cognizance/summoning order dated 11.12.2023, pending in the Court of A.C.J.M., Chibramau, Kannauj.

Learned counsel for the applicants submitted that impugned First Information Report dated 20.10.2022 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the applicant. It is further submitted that F.I.R. has been lodged on the basis of an application under Section 156(3) of Cr.P.C. It is further submitted that as per allegation of F.I.R., a forged gift deed has been prepared by applicant and other accused persons. The gift deed has been executed in favour of the applicant no. 1 and applicant no. 2 who are a witness of the alleged gift deed dated 15.07.2022. It is further submitted that prior to lodging of F.I.R., one civil suit i.e Original Suit No. 186 of 2023 is pending between the parties with regard to subject matter of present F.I.R. First informant converted the civil dispute into a criminal case.

Prima facie, matter requires consideration.

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

Issue notice to respondent no. 2 through C.J.M. concerned, returnable at an early date.

Learned A.G.A. as well as respondent no. 2 may file their counter affidavits within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

List this case after eight weeks along with connected Application U/S 482 of Cr.P.C No. 25397 of 2024.

Until further orders, further proceedings of aforesaid case shall remain stayed against the applicant.

October 29, 2025

Ishan

(Sanjay Kumar Pachori,J.)