



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 37694 of 2025

Tahir Khan @ Tahir Husain

.....Applicant(s)

Versus

State Of U.P. Through Its Superintendent Of Police
And Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Irshad Ahmad, Mohd Nasir
Counsel for Opposite Party(s)	:	G.A., Rohan Gupta

Court No. - 76

HON'BLE SANJAY KUMAR PACHORI, J.

Supplementary affidavit by learned counsel for the applicant and counter affidavit by learned counsel for the private opposite party no. 2 filed today are taken on record.

Sri Irshad Ahmad, learned counsel for the applicant, Sri Rohan Gupta, learned counsel for the private opposite party no. 2 and Sri Karunakar Singh, learned A.G.A. for the State are present.

The present application under Section 528 of Bharatiya Nagarik Suraksha Sanhita has been filed to quash the entire proceedings of Criminal Case, arising out of Case Crime No. 385 of 2024, under Sections 323, 504, 506, 120B of IPC and under Sections 3, 5(1) of The Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021, P. S. Kaushambi, District Ghaziabad as well as cognizance/ summoning order dated 18.01.2025, pending in the court of Chief Judicial Magistrate, Ghaziabad.

Learned counsel for the applicant submitted that impugned FIR dated 19.09.2024 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicant. It is further submitted that there is no medical examination report to substantiate the allegations of FIR. It is further submitted that the matter is related to the year 2014. It is further submitted that as per allegations of FIR, all the allegations are related to matrimonial dispute between brother of the present applicant and the first informant. The first informant converted a

matrimonial dispute into a criminal case.

Prima facie, matter requires consideration.

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

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

Learned A.G.A. as well as private opposite party no. 2 may file a counter affidavit within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

List this case after eight weeks.

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

April 9, 2026
MAA/-

(Sanjay Kumar Pachori,J.)