



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 6034 of 2025

Motilal

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s) : Sanjeev Kumar Singh
Counsel for Opposite Party(s) : G.A., Sanjeev Kumar Yadav

Court No. - 84

HON'BLE CHAWAN PRAKASH, J.

1. List has been revised. Learned counsel for the revisionist and learned A.G.A. for the State are present. None present for the opposite party no. 2.
2. It is submitted by learned counsel for the revisionist that on the application moved by the opposite party no. 2 Jaygovind, an F.I.R. at Case Crime No. 392 of 2020, under Sections 147, 148, 149, 323, 504, 506, 452, 302, 307, 308 I.P.C., Police Station Harpur Budhat, District Gorakhpur was registered against 15 persons. After investigation, the Investigating Officer did not file charge sheet against the revisionist. Thereafter on the application moved by the opposite party no. 2, the learned trial court vide order dated 22.08.2025 summoned the revisionist to face trial with other accused persons under Sections 147, 148, 149, 302, 307, 308, 325, 452, 323, 504, 506 I.P.C. It is further submitted that the Investigating Officer did not find any material evidence against the revisionist and did not submit charge sheet against the revisionist but this fact has not been considered by the learned trial court. It is next submitted that the learned trial court without applying its judicial mind summoned the revisionist, which is illegal and liable to be set aside.
3. Matter requires consideration.
4. Learned A.G.A. has accepted notice on behalf of opposite party no. 1.
5. Issue notice to opposite party no.2 returnable at an early date.

6. Opposite party no. 2 as well as learned A.G.A. may file counter affidavit within two weeks. Rejoinder affidavit, if any, may be filed within one week thereafter.

7. Put up this case **as fresh on 04.02.2026** before appropriate Bench.

8. Till the next date of listing, no coercive action shall be taken against the revisionist in pursuance of the order dated 22.08.2025 passed by the Additional Sessions Judge/Special Judge (Anti Corruption Act), Court No. 1, Gorakhpur in S.T. No. 582 of 2022 (State Vs. Paras Yadav and others), arising out of Case Crime No. 392 of 2020, under Sections 147, 148, 149, 323, 504, 506, 452, 302, 307, 308 I.P.C., Police Station Harpur Budhat, District Gorakhpur.

(Chawan Prakash,J.)

January 13, 2026

Rmk.