

**Court No. - 74**

**Case :- APPLICATION U/S 528 BNSS No. - 38186 of 2024**

**Applicant :- Swati Devi And 8 Others**

**Opposite Party :- State of U.P. and Another**

**Counsel for Applicant :- Ravindra Kumar**

**Counsel for Opposite Party :- G.A.**

**Hon'ble Sanjay Kumar Pachori,J.**

Sri Ravindra Kumar, learned counsel for the applicants and Smt. Ladli Pandey, learned A.G.A. for the State are present.

The present application u/s 528 of B.N.S.S. has been filed with prayer to quash the entire proceedings of Complaint Case No. 2140 of 2022 as well as cognizance/summoning order dated 2.8.2024, under Sections 147, 148, 323, 504, 506 of I.P.C., P.S. Bindaki, District Fatehpur, pending in the Court of A.C.J.M., Court No. 2, Fatehpur.

Learned counsel for the applicants submitted that impugned complaint dated 15.11.2022 has been filed on the basis of false and frivolous allegations with ulterior motive and only to harass the applicants. It is further submitted that private opposite party no. 2 is father-in-law of applicant no. 1. There is no medical examination report to substantiate the allegation of complaint. Other matrimonial disputes are pending between the parties. Complainant converted the matrimonial 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.

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

**Order Date :-** 4.7.2025

A.P. Pandey