



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 42784 of 2025

Rakesh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Pradeep Kumar, Ramanveer Singh Varma
Counsel for Opposite Party(s)	:	G.A.

Court No. - 75

HON'BLE SAURABH SRIVASTAVA, J.

1. Heard learned counsel for the parties.
2. It is contended by learned counsel for applicant that so far as Rakesh sole applicant is concerned, the copy of the attendance register has been appended along with instant application, crystal clearly shows that he was present on the day of incident for running his duties before Nagar Palika Panchayat, District Budaun and as such implication of the applicant *prima facie* seems to be doubtful which requires consideration.
3. Issue notice to opposite party no. 2, returnable at an early date. Steps be taken within a week.
4. After service of notice, all the opposite parties may file counter affidavit within four weeks. Two weeks thereafter for rejoinder, if any.
5. List after exchange of pleadings.
6. However, it is made clear that till the next date of listing, proceeding of Case no. 8372 of 2014 arising out of Case Crime no. 1370 of 2009 under sections 147, 148, 323, 336, 332 IPC and 7 Criminal Law Amendment Act, PS- Ujhani, District Buduan, shall remain **suspended** in respect of applicant herein.

(Saurabh Srivastava,J.)

February 13, 2026

Shaswat