



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 482 No. - 38324 of 2024

Jay Pal Singh @ Jay Pal Rathaur And 9 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Uma Nath Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SANJAY KUMAR PACHORI, J.

Heard Shri Uma Nath Pandey, learned counsel for the applicants and Sri Alok Mishra, learned A.G.A. for the State.

The present application under Section 482 of the Cr.P.C. has been filed to quash the entire proceedings of Criminal Case No. 186 of 2024, arising out of Case Crime No. 326 of 2023, under Sections 147, 357 of I.P.C., and Section 8-B of the National Highways Act, 1956 Police Station- Walterganj, District- Basti, as well as cognizance/ summoning order dated 22.07.2024 pending in the Court of VIth Judicial Magistrate, Court No. 19, Basti.

Learned counsel for the applicants submits that the first information report dated 11.12.2023 with regard to incident dated 11.12.2023 (after about 15 days of the incident) has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the present applicants. It is further submitted that the name of the present applicants are surfaced on the basis of hearsay evidence, which is irrelevant. There is no pre-summoning evidence with regard to identification of the present applicant to constitute the offence as alleged against the applicant.

Prima facie, matter requires consideration.

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

Issue notice to opposite party no. 2 returnable at an early date.

Learned A.G.A. as well as learned counsel for the opposite party no. 2 may

file counter affidavit within two weeks. Rejoinder affidavit may be filed within one week thereafter.

List after eight weeks.

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

April 28, 2026

Ishan

(Sanjay Kumar Pachori,J.)