



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43274 of 2025

Shibbu Gond Alias Shivam Gond

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Jitendra Rana
Counsel for Opposite Party(s)	:	G.A.

Court No. - 81

HON'BLE AVNISH SAXENA, J.

1. Sri Jitendra Rana, learned counsel for the applicant and learned A.G.A. for the State are present.
2. Learned counsel for the accused-applicant submits that the accused-applicant has been falsely implicated by opposite party no.2. No such incident took place. There is an enmity between the parties. Initially, the F.I.R. has been lodged by the sister of accused-applicant against the brother of opposite party no.2. It is in this backdrop that the false F.I.R. has been lodged. The first Investigating Officer has found that no such incident took place and submit the final report dropping the accusation of the accused-applicant. In further investigation, the subsequent Investigating Officer after recording the statement of some witnesses submitted the charge sheet. The averment in the F.I.R is such that the opposite party came to her matrimonial home after marriage and visited the house of accused, where he committed rape on her and taken her indecent pictures, which is not permissible as there was enmity between the family. Hence, seeks intervention of this Court.
3. Learned A.G.A. accepts notice for the State.
4. Issue notice to opposite party no.2 returnable at an early date.
5. List on 18.12.2025, as fresh.
6. In the meantime, the parties may exchange affidavits.

7. Considering the arguments made by learned counsel for the applicant, the further proceedings of Case No.5053 of 2025 (State Vs. Shibbu Gond alias Shivam Gond), arising out of Case Crime No.161 of 2024, under Sections 376, 504 I.P.C. and 67-A I.T. Act, Police Station Bhatparrani, District Deoria, pending before the court of Additional Civil Judge (Jr. Div.), Court No.26, Deoria, is stayed.

(Avnish Saxena,J.)

November 13, 2025

Shivangi