



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 48673 of 2025

Kamlesh Kushwaha

.....Applicant(s)

Versus

State Of U.P. And 4 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Sanjai Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 81

HON'BLE AVNISH SAXENA, J.

1. Sri Sanjay Kumar Singh, learned counsel for the accused-applicant appears and submits that the FIR of enticement has been lodged by father of victim who has married with the applicant as per Arya Samaj ceremonies. The contents of marriage is entered in the case diary. The victim has given statement under Section 164 Cr.P.C. in favour of applicant that the two are in love and entered into marriage. The victim and accused-applicant are adult and they are residing as husband and wife having children. He seeks interference to quash the charge sheet and proceedings.

2. Learned AGA seeks time to file counter affidavit.

3. None appeared for the opposite party nos. 2 and 3.

4. Issue notice to opposite party nos. 4 and 5 returnable at an early date.

5. List on 20.02.2026.

6. In the meantime, the parties may exchange affidavits.

7. Considering the marriage between the applicant and victim,

further proceeding of Sessions Case No. 977 of 2023 (State Vs. Kamlesh Kumar Kushwaha and others) arising out of Case Crime No. 261 of 2021, under Sections 363, 366, 376, 504, 506 IPC and Section 3/4 POCSO Act, P.S. Vishunpura, District Kushinagar shall remain stayed.

December 15, 2025

Abhishek Sri.

(Avnish Saxena,J.)