



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 11272 of 2025

Jyoti Devi Alias Jyoti Sharma Alias Jyoti Devi
Sharma

.....Appellant(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Appellant(s)	: Alok Singh, Ankit Katiyar, Phool Chandra Singh, Pramod Kumar Katiyar, Sumitra Singh
Counsel for Respondent(s)	: G.A., Ravi Shankar Yadav

Court No. - 51

HON'BLE MADAN PAL SINGH, J.

1. Heard Sri Shyam, learned counsel for the appellant, Sri Sanjay Singh Sengar, learned counsel for the opposite party no.2, learned AGA for the State and perused the record.

2. Learned counsel for the appellant submits that the entire prosecution is manifestly malafide and based on repeated and successive FIRs arising out of the same matrimonial discord between Opposite Party No.3 and her husband Anil Kumar, wherein the appellant has been falsely implicated time and again. It is contended that the first FIR dated 21.09.2019, registered as Case Crime No. 0123 of 2019, was lodged against Anil Kumar and the appellant, however, after thorough investigation, the police submitted Final Report dated 21.09.2019 finding no offence against the accused persons. Thereafter, a second FIR dated 21.11.2020, being Case Crime No. 0787 of 2020, was again lodged on similar allegations against the same persons, in which also the police submitted Final Report dated 23.02.2021 concluding that no case was made out. Subsequently, a third FIR dated 20.12.2020, being Case Crime No. 0341 of 2020, was lodged, wherein again Anil Kumar and the appellant were implicated, but the police, after investigation, submitted charge-sheet dated 28.02.2021 only against co-accused and specifically exonerated the appellant by expunging his name, clearly recording that no case was made

out against him. Despite such repeated exonerations, Opposite Party No.3 lodged a fourth FIR dated 17.05.2024, being Case Crime No. 0111 of 2024, implicating the appellant and two other persons; however, even in this case, the police exonerated the other co-accused persons and submitted charge-sheet only against the appellant without any proper or fair investigation. It is thus submitted that the the present prosecution, being a result of repeated FIRs on the same cause of action, is liable to be quashed.

3. Learned A.G.A. prays for and is allowed four weeks' time to file counter affidavit. Rejoinder, if any, may be filed within two weeks thereafter.

4. Put up this matter as fresh on 12-05-2026.

5. Till then, no coercive steps shall be taken against the appellant in pursuance of the summoning order dated 07-01-2025 passed in Case No. 28 of 2025, arising out of case crime no. 0111 of 2024, under Sections 323, 504, 506 IPC and Section 3(2)(va)/3(1)da/3(1)dha of SC/ST Act, P.S. Sikandara, district Ramabai Nagar (Kanpur Dehat).

(Madan Pal Singh,J.)

April 8, 2026

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