



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 46628 of 2025

Nitin

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Anil Kumar Mishra, Nitesh Tripathi
Counsel for Opposite Party(s) : G.A.

Court No. - 79

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Anil Kumar Mishra, learned counsel for accused applicant and learned AGA for State.
2. The instant application under Section 528 BNSS has been filed by applicant to quash the charge sheet, cognizance order and entire proceedings of Criminal Case No. 643 of 2025 (State Vs. Nitin), arising out of Case Crime No. 95/2024, under Sections 354-D, 506 IPC, P.S.-Haldaur, District- Bijnor, pending in the court of learned Additional Chief Judicial Magistrate-II, Bijnor.
3. It is contended by learned counsel for applicant that the opposite party no. 2 and applicant were having relations since last 11 years. Their relations of love did not mature in marriage which led to lodging of false cases against the applicant and his family. The present FIR is lodged on 24.03.2024 for the alleged incident of 14.03.2024 with the allegation that the accused applicant used to follow opposite party no. 2 and harass her. He also raise indecent comments. Learned counsel submits that prior to this FIR the opposite party no. 2 has falsely implicated the applicant and other family members of the applicant in Case Crime No. 63/2025, P.S.-Haldaur, District- Bijnor, wherein the allegation of rape on false promise of marriage has been levelled against the accused applicant and offence of criminal intimidation against the family members, wherein this Court in order dated 18.11.2025 has granted interim relief in Application U/S 528 BNSS No. 45283 of 2025 (Nitin and four others Vs. State of U.P. and

another. The present application is also the like and seeks interference of this Court.

4. Learned A.G.A. for State seeks time to file counter affidavit.

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

6. List on **18.05.2026**.

7. In the meantime, parties may exchange affidavits.

8. Considering the argument raised by learned counsel for accused applicant, further proceeding of the aforementioned case is **stayed** qua the applicant.

(Avnish Saxena,J.)

April 7, 2026

Sharad/-