



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47179 of 2025

Pramod

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Satendra Kumar, Sudhanshu Kumar Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 74

HON'BLE DEEPAK VERMA, J.

1. Learned AGA in his instruction states notice has been served upon opposite party no.2 but no one appeared on behalf of opposite party no.2.

2. Heard learned counsel for the applicant and learned A.G.A. for the State.

3. The present 528 B.N.S.S. application has been filed to quash the summoning order dated 16.07.2025 in Special Session Case No.1304 of 2022 (Lal Singh vs. Pramod Kumar and others), under Sections 354, 506 I.P.C. & Section 7/8 POCSO Act arising out of Application under section 156(3) Cr.P.C., P.S. Nasirpur, District Firozabad, pending in the court of Additional Session Judge/Additional Special Judge (POCSO Act), Court No.3, Firozabad.

4. Learned counsel for the applicant submits that opposite party no.2 has lodged FIR in regard to incident lodged in the complaint. FIR lodged by opposite party no.2 has been registered as Case Crime No.0127 of 2022, under sections 323, 504, 506 I.P.C. in which charge-sheet has been submitted and trial is going on. Learned counsel for the applicant has stated in Para-13 of the affidavit that the present complaint is lodged for the incident occurred on 06.05.2022 of the same date as alleged in the complaint.

5. Matter requires consideration.

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

7. Issue notice to opposite party no.2 returnable at an early date.
8. Opposite parties may file their counter affidavits within six weeks. Rejoinder affidavit may be filed within two weeks thereafter.
9. List thereafter.
10. Till the next date of listing, further proceedings against the applicant in Special Session Case No.1304 of 2022 (Lal Singh vs. Pramod Kumar and others), under Sections 354, 506 I.P.C. & Section 7/8 POCSO Act arising out of Application under section 156(3) Cr.P.C., P.S. Nasirpur, District Firozabad, pending in the court of Additional Session Judge/Additional Special Judge (POCSO Act), Court No.3, Firozabad, shall remain stayed.

April 9, 2026
SKD

(Deepak Verma,J.)