



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 47987 of 2025

Prashant Pal

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Jeetendra Kumar Sharma, Laxmi
Dubey

Counsel for Opposite Party(s) : G.A., Rajesh Kumar, Satyam Mishra

Court No. - 81

HON'BLE AVNISH SAXENA, J.

1. Sri Anil Tiwari, learned Senior counsel assisted by Sri Jeetendra Kumar Sharma, learned counsel for the accused-applicant, Sri Rajesh Kumar, learned counsel for the opposite party no.2 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 the opposite party no.2 for the allegation of rape on false promise of marriage. The F.I.R. has been lodged when the accused-applicant has refused to marry opposite party no.2. There is no disclosure of any other allegation in the F.I.R., though it has been lodged on 03.06.2025. The learned counsel has drawn the attention of this Court towards the statement given by the victim under Section 183 B.N.S.S. which reveals not only rape on false promise of marriage, but also reveals in the year 2019, when the accused-applicant and victim first met in the marriage ceremony of brother of opposite party no.2, thereafter, the allegation of rape on false promise of marriage and also the allegation of taking of indecent photographs and videos and raped on blackmailing her have also been alleged. Hence, seeks interference of this Court to quash the charge sheet and the proceedings.

3. Learned counsel for the opposite party no.2 submits that he may be permitted to file counter affidavit.

4. Learned A.G.A. accepts notice for the State.

5. List on 27.01.2026, as fresh.

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

7. Considering the allegation of rape on false promise of marriage as well as apparent inconsistent statement given by the opposite party no.2, further proceedings of Case No.12234 of 2025 (State Vs. Prashant Pal), arising out of Case Crime No.409 of 2025, under Sections 115(2), 351(2), 69 B.N.S., Police Station Auraiya, District Auraiya, pending before the court of Chief Judicial Magistrate, Auraiya, is stayed.

(Avnish Saxena,J.)

December 3, 2025

Shivangi