



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 48583 of 2025

Yogendra Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Akhilesh Kumar Mishra, Rishabh
Tiwari

Counsel for Opposite Party(s) : Ashish Bajpayee, G.A.

Court No. - 79

HON'BLE AVNISH SAXENA, J.

1. Heard Sri Akhilesh Kumar Mishra, learned counsel for the applicant, Sri Ashish Bajpayee, learned counsel for the opposite party no.2 and learned A.G.A. for the State.

2. The instant application under Section 528 BNSS has been moved with a prayer to quash the charge sheet no.124 of 2025 dated 26.04.2025, cognizance order dated 24.07.2025 as well as the entire proceedings of Criminal Case No.2709 of 2025 (State Vs. Yogendra Singh), arising out of Case Crime No.80 of 2025, under Sections 318(4), 316(2), 131 BNS, Police Station Bidhuna, District Auraiya, pending before the court of Civil Judge (Junior Division)/Judicial Magistrate, Bidhuna, Auraiya.

3. It is contended by the learned counsel for the accused-applicant that the accused-applicant has been falsely implicated by opposite party no.2. in F.I.R. dated 06.03.2025, wherein the allegation against the accused-applicant is of assuring to get a government job in Health Department by taking Rs.40 lakhs. Neither the job has been provided nor amount has been returned. Hence, seeks interference of this Court.

4. Learned counsel for the opposite party no.2 has opposed the application and submits that the accused-applicant is habitual offender and is also convicted in many cases. He continued to allure persons for getting job.

5. In the case of ***Deepak Kumar Shrivastava and another Vs. State of Chhattisgarh and others (2024) 3 SCC 601***, Hon'ble the Supreme Court has made observation and castigated the act of informant about the

lodging of criminal case where the unlawful contract between the parties for securing a government job on payment did not ripe the desire result.

6. Learned A.G.A. for the State seek time to file counter affidavit.

7. List on 21.05.2026.

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

9. Considering the arguments raised by learned counsel for the accused-applicant, further proceedings of the aforementioned case is stayed, qua the applicant, till the next date fixed.

(Avnish Saxena,J.)

April 10, 2026
Shivangi