



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 51008 of 2025

Saurabh Gupta

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Lavkush Kumar Bhatt
Counsel for Opposite Party(s) : G.A., Mohammad Shams Khan

Court No. - 77

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Sri Lavkush Kumar Bhatt, learned counsel for the applicant and Mohammad Shams Khan, learned counsel for O.P. no.2.
2. Learned counsel for the applicant submits that he has filed the instant application under Section 528 BNSS with the relief which has been mentioned in the prayer clause of the application.
3. The relief which has been mentioned in the application is delineated below:-

"It is, therefore, most respectfully prayed that this Hon'ble court may graciously be pleased to allow the present application and quash/set-aside the impugned chargesheet dated 09.11.2024 and the summoning/cognizance order dated 24.11.2025 passed by the learned Chief Judicial Magistrate, Farrukhabad, in Criminal Case No. 2959 of 2025 (State Vs. Saurabh Gupta) as well as the entire proceedings of Criminal Case No. 2959 of 2025 (State Vs. Saurabh Gupta) arising out of Case Crime No. 276 of 2024, for the offence punishable under Section 324(4), 352, 351(2) of B.N.S. and Section 3a/4 of U.P.Chikitsa Paricharya Seva Karmi relating to Police Station Kadarigate, District Farrukhabad, pending in the court of Chief Judicial Magistrate, Farrukhabad.

It is further prayed that this Hon'ble Court may kindly be pleased to stay the further proceedings of Criminal Case No. 2959 of 2025 (State Vs. Saurabh Gupta) arising out of Case Crime No. 276 of 2024, for the

offence punishable under Section 324(4), 352, 351(2) of B.N.S. and Section 3a/4 of U.P.Chikitsa Paricharya Seva Karmi relating to Police Station Kadarigate, District Farrukhabad, pending in the court of Chief Judicial Magistrate, Farrukhabad, during the pendency of the aforesaid application before this Hon'ble Court otherwise, the applicant shall suffer an irreparable loss and iniury."

4. Learned counsel for the applicant as well as O.P. no.2 submit that this application has been submitted on the strength of compromise application.

5. In view of aforesaid submissions, both the parties are directed to appear before the concerned trial court on 30.01.2026 for verification of the compromise application. Further, the trial court is directed to verify the compromise application on appearance of the parties before it and after verification of the compromise application, verification report/order shall be sent to this Court by the concerned trial court. Learned counsel for the applicant may also file the verification report along with an affidavit.

6. List this case on 06.02.2026 as fresh.

(Praveen Kumar Giri,J.)

January 19, 2026

Manish Himwan