



HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 51053 of 2025

Devendra Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Kamendra Singh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 53

HON'BLE SAMIT GOPAL, J.

1. Heard Sri Kamendra Singh, learned counsel for the applicant, Sri Badey Lal Bind, learned counsel for the State and perused the record.

2. The present application under Section 528 of BNSS has been filed by the applicant-Devendra Singh, with the following prayer :

"to quash the entire proceedings of Special Trial No. 1058 of 2024 pending in the court of Additional District & Sessions Judge (Prevention of Corruption Act), Special Court No.1, Varanasi arising out of Case Crime No. 41B of 2006, under Section 409, 420, 467, 468, 471, 120B, 34 IPC & 13(2) Prevention of Corruption Act, P.S. Sukhpura, District Ballia, Charge-sheet dated 09.04.2025 and summoning order dated 18.09.2025."

3. Learned counsel for the applicant has placed before the Court an order dated 8th January, 2026, passed by this Court in Criminal Misc. Application under Section 528 BNSS No. 50657 of 2025 Om Prakash Ram and 2 others Vs. State of U.P. and Another and submitted that in identical circumstances, this Court has passed an interim order and has also directed filing of counter affidavit. Copy of the order has been produced before the Court, which is taken on record.

4. Learned counsel for the applicant submits that in the present matter, the FIR was lodged on 06.05.2006, whereas charge-sheet has been submitted on 09.04.2025 on which cognizance has been taken on 18.09.2025 and thus, investigation took about 19 years in reaching to its alleged legal conclusion, subsequent to which, the applicant has been summoned. It is submitted that thus, looking to the delay in the investigation, the present proceedings

deserve to be quashed.

5. Learned counsel for the State prays for and is granted three weeks time to file counter affidavit. Rejoinder affidavit, if any, may be filed within a week thereafter.

6. Connect this matter with **Criminal Misc. Application under Section 528 BNSS No. 50657 of 2025 (Om Prakash Ram and 2 others Vs. State of U.P. and Another)** and list on the date fixed i.e. **10.02.2026**.

7. Till the next date of listing, the further proceedings shall remain stayed against the applicant in the aforesaid case.

8. The counter affidavit shall be filed by an Officer not below the rank of Additional Director General of Police of the concerned department who shall also address the issue as to who was the person responsible for taking 19 years in the matter for concluding the investigation and what was so alarming and so difficult in the matter which took so many years in the investigation to conclude.

(Samit Gopal,J.)

January 20, 2026

NSC