



2025:0001-1 K03:20250001

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 10616 of 2025

Keshan Yadav @ Krashna Kumar Yadav

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Dharmendra Kumar Pandey, Prabhat
Dwivedi

Counsel for Opposite Party(s) : G.A.

Court No. - 29

HON'BLE DIVESH CHANDRA SAMANT, J.

1. Heard learned counsel for the applicant as well as learned A.G.A. for the State.
2. The present 482 Cr.P.C. application has been filed to quash the charge sheet dated No. 01 of 2023 dated 11.02.2023 arising out of Case Crime No. 0029 of 2023, under Sections 323, 324, 504 I.P.C. and Section 3(1)(da), 3(1)(dha), 3(2)(va) SC/ST Act, Police Station-Mohanlalganj, District-Lucknow as well to quash the entire proceeding of the S.C. No. 2048 of 2023 (Sessions Case 3581 of 2023) (State Vs. Keshan Yadav @ Krishna Kumar Yadav and others), arising out of the Case Crime No. 0029 of 2023 under Section 323, 324, 504 I.P.C. and Section 3(1)(da), 3(1)(dha), 3(2)(va) SC/ST Act, Police Station-Mohanlalganj, District-Lucknow pending in the court of learned Additional District Judge/Special Judge SC/ST Act, Lucknow.
3. The contention of learned counsel for the applicant is that no offence against the applicant is disclosed and the present prosecution has been instituted with a malafide intention for the purpose of causing harassment. He pointed out certain documents and statements in support of his contention.
4. From the perusal of the material on record and looking into the facts of the case at this stage it cannot be said that no offence is made out against the

applicant. All the submissions made at the bar, relate to the disputed questions of fact, which cannot be adjudicated upon by this Court under Section 482 Cr.P.C. At this stage only prima facie case is to be seen in the light of the law laid down by Supreme Court in cases of ***R.P. Kapur Vs. State of Punjab, A.I.R. 1960 S.C. 866, State of Haryana Vs. Bhajan Lal, 1992 SCC (Cr.) 426, State of Bihar Vs. P.P.Sharma, 1992 SCC (Cr.) 192*** and lastly ***Zandu Pharmaceutical Works Ltd. Vs. Mohd. Saraful Haq and another (Para-10) 2005 SCC (Cr.) 283***. The disputed defence of the accused cannot be considered at this stage.

5. At this stage, learned counsel for the applicant submitted that applicant is ready to surrender before the trial Court for obtaining bail and for that some protection may be granted to him.

6. However considering the aforesaid alternative prayer made by learned counsel for the applicant, it is directed that the applicant shall surrender before the concerned court below within 30 days from today and in case he applies for bail, the bail application of the applicant shall be disposed of expeditiously by the court below in accordance with law and keeping in view the guidelines as laid down by the Apex Court in the case of ***Satender Kumar Antil vs Central Bureau of Investigation and another, reported in 2021 SCC Online SC 922***.

7. For the period of 30 days from today or till the time of surrender of the applicant before the concerned court below, whichever is earlier, applicant shall not be arrested in the above case.

8. With the above observations and directions, this application under Section 482 Cr.P.C. is ***disposed of***.

December 16, 2025

Karan

(Divesh Chandra Samant,J.)