HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

APPLICATION U/S 528 BNSS No. - 2189 of 2026

Prem Shankar Maurya

.....Applicant(s)

Versus

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

.....Opposite Party(s)

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

Court No. - 16

HON'BLE SHREE PRAKASH SINGH, J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the material placed on record.

2. The instant application under section 482 Cr.P.C. has been filed with the prayer to quash the Charge Sheet No.0163/2025, State Vs Prem Shankar Maurya) as well as summoning order dated 04.11.2025 arising out of FIR/ Case Crime, No.163/2025, U/S- 115(2), 352,351(3) 331(4), B.N.S. Police Station- Bisheshvarganj, District- Bahraich, pending before the learned Additional Civil Judge (S.D.) / A.C.J.M.-I, Bahraich.

3. Submission of learned counsel for the applicant is that the present FIR has been lodged as a measure of retaliation on account of an existing dispute between the parties, in which the applicant has actively participated. He further submits that no such incident, as alleged in the FIR, ever took place and the entire prosecution story is false, concocted and fabricated. It is, therefore, prayed that the entire proceedings arising out of the impugned FIR may be quashed.

4. Learned AGA for the State has opposed the submissions advanced on behalf of the applicant.

5. Upon perusal of the record and consideration of the submissions advanced by learned counsel for the parties, it transpires that there exists

an old dispute between the parties. Prima facie, it appears that the impugned FIR has been lodged in the backdrop of the said dispute.

6. Accordingly, the matter requires consideration.

7. Let notice be issued to opposite party no.2 returnable at an early date.

8. Steps be taken within a week.

9. Three weeks' time is granted to opposite parties to file counter affidavit.

10. One week thereafter is granted to learned counsel for the applicant to file rejoinder affidavit.

11. List thereafter.

12. Till the next date, the proceedings initiated in pursuance of Charge Sheet No.0163/2025, State Vs Prem Shankar Maurya) as well as summoning order dated 04.11.2025 arising out of FIR/ Case Crime, No.163/2025, U/S- 115(2), 352,351(3) 331(4), B.N.S. Police Station- Bisheshvarganj, District- Bahraich, pending before the Learned Additional Civil Judge (S.D.) / A.C.J.M.-I, Bahraich, shall remain stayed so far as the present applicant is concerned.

(Shree Prakash Singh,J.)

May 29, 2026
V. Sinha

Digitally signed by :-
VAISHALI SINHA
High Court of Judicature at Allahabad,
Lucknow Bench