2026:AHC:212026

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 10352 of 2026

Prabhunath

.....Appellant(s)

Versus

State Of U.P. And 10 Others

.....Respondent(s)

Counsel for Appellant(s)	:	Hashim Khan, Manvendra Kumar, Mithilesh Kumar
Counsel for Respondent(s)	:	G.A.

Court No. - 91

HON'BLE SANTOSH RAI, J.

1. Heard learned counsel for the appellant and learned AGA for the State.

2. The present criminal appeal has been filed by the appellant with a prayer to set aside the impugned order dated 10.8.2026 passed by Special Judge, SC/ST (PA) Act, Deoria in Complaint Case No.64 of 2023 (Prabhunath Gaud vs. Ajit Singh & Ors.), under Sections 147, 148, 323, 504, 506, 392 IPC and Sections 3(1)(r), 3(1)(s) of SC/ST Act, P.S.- Bhatni, District- Bhatni, whereby the complaint under Section 203 Cr.P.C. of the appellant/applicant has been rejected.

3. Learned counsel for the appellant submits that the learned trial court has illegally rejected the complaint without properly appreciating the allegations made in the complaint and the statements of the complainant and witnesses recorded under Sections 200 and 202 Cr.P.C. It is further submitted that the accused persons had caused injuries to the appellant and that the complaint was supported by the evidence available on record. The impugned order is, therefore, liable to be set aside and the matter deserves to be remitted to the learned trial court for proceeding in accordance with law.

4. Learned AGA opposes the appeal and submits that the learned trial court has rightly rejected the complaint after considering the allegations made therein and the statements recorded under Sections 200 and 202 Cr.P.C. It is further submitted that the medical report does not disclose any external injury and that the complaint appears to have been instituted

due to political rivalry as a counterblast to a criminal case already registered in respect of the same incident. Hence, no interference with the impugned order is warranted, and the appeal is liable to be dismissed.

5. An application under Section 156(3) Cr.P.C. was moved by the appellant against ten accused persons, namely, Ajit Singh, Ranvijay Singh, Ranjit Singh, Raj Kishore Singh, Virendra Singh, Rohit Singh, Indrapal Singh, Anant Singh, Ravi Shah and Manvendra Nath Tiwari, which was subsequently treated as a complaint. During the course of the inquiry proceedings, statements of the complainant and witnesses were recorded under Sections 200 and 202 Cr.P.C. Upon finding the evidence insufficient to proceed against the accused persons, the learned trial court rejected the complaint under Section 203 Cr.P.C. From a perusal of the complaint and the statements recorded under Sections 200 and 202 Cr.P.C., it appears that there was political rivalry between the parties and that the appellant was allegedly working as the driver of Ramashankar Yadav. The allegation against the ten accused persons is that they had caused injuries to the complainant; however, the medical report available on record mentions only a complaint of pain and specifically records that no external injury was visible. This circumstance casts doubt upon the veracity of the allegations made by the complainant. Learned counsel for the appellant has admitted that a criminal case had already been registered in respect of the same incident. It is further evident from the record that the complainant is a resident of Agaila Mishra, Police Station Vijaypur, District Gopalganj, Bihar, whereas opposite party nos.2 to 11 are residents of District Deoria. The aforesaid circumstances, considered in conjunction with the other material available on record, lend support to the inference that the present complaint may have been instituted with an ulterior motive as a counterblast to the criminal case previously registered in respect of the same incident. Upon an overall consideration of the allegations made in the complaint and the statements recorded during the inquiry, no sufficient ground is made out to interfere with the impugned order passed by the learned trial court.

6. For the reasons recorded above, this Court finds that the learned trial court has rightly rejected the complaint of the appellant/applicant. The impugned order does not suffer from any illegality or infirmity warranting

interference in appellate jurisdiction.

7. The instant appeal, being devoid of merit, stands **dismissed**.

8. Registrar (Compliance) is directed to serve a copy of this order by FAX/e-mail to the court concerned through District & Sessions Judge concerned within one week.

(Santosh Rai,J.)

October 9, 2026
RA

Digitally signed by :-
RAZIQ ALI
High Court of Judicature at Allahabad