2026:AHC:211549

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 46873 of 2025

Smt Rani Thakur

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Dinesh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 79

HON'BLE MADAN PAL SINGH, J.

1. Heard the learned counsel for the applicant, and the learned A.G.A. for the State.

2. The present application under Section 528 B.N.S.S. has been filed by the applicant for quashing of the entire proceedings, order passed by the Additional District & Sessions Judge/Additional Special Judge (POCSO Act), Court No.2, Mathura in Criminal Revision No. 365 of 2023 (Smt. Rani Thakur Vs. State of U.P.) and cognizance/summoning order dated 4th September, 2020 passed by the Additional Civil Judge (Senior Division)/Additional Chief Judicial Magistrate, Court No.5, Mathura in Criminal Case No. 5008 of 2020 arising out of of Case Crime No. 569 of 2020 under Sections 384 and 420 I.P.C., Police Station-Govardhan, District-Mathura.

3. Brief facts of the case is that the First Information Report dated 13th December, 2019 against Ashok, Ex-Pradhan, one unknown journalist, unknown police personnel of P.R.V. and one unknown girl by alleging therein that the informant, Udayveer Singh, is a retired Zoology Lecturer and a resident of Village Magorra, District Mathura. On November 14, 2019, at about 02:00 PM, while the informant was returning on his motorcycle from the Govardhan Tehsildar office towards the Mathura Court to consult his counsel, he halted near a roadside tea stall past the Govardhan Block to attend a telephonic call. While he was conversing, a woman and an individual posing as a journalist approached him under suspicious circumstances, followed shortly by the arrival of a police response vehicle (PRV Dial 112). Upon learning the informant's identity and residential background, the self-proclaimed journalist telephonically summoned one Ashok, the former Pradhan of Adeeg, to the spot to orchestrate an extortionate plot. 2. It is further alleged that upon arrival, the accused persons, acting in tandem and under a pre-planned criminal conspiracy, isolated the elderly informant and

subjected him to severe psychological coercion by threatening to implicate him in a false case of rape at the instance of the unknown woman unless a sum of ₹5,00,000/- was paid. Despite the informant's categorical protestations of innocence, the accused former Pradhan, under the garb of mediating the dispute, exerted immense pressure, seized the keys to the informant's motorcycle, and forcibly obtained his signatures on a blank sheet of paper. Although the informant was eventually permitted to leave due to the timely intervention of local bystanders, the accused Ashok arrived at the informant’s residence the following morning on November 15, 2019, at approximately 09:00 AM, brandishing the document bearing the forced signatures and threatening immediate public defamation. 3. Driven by acute fear of social ignominy, the informant’s wife handed over ₹2,00,000/- to the accused Ashok under intense duress, who then raised an additional demand of ₹50,000/- to satisfy the respective shares of the PRV police personnel, the journalist, and the involved woman. Upon disclosing the entire ordeal to fellow villagers, the informant discovered that the accused individuals operated an organized syndicate that routinely trapped respectable citizens by engineering fabricated allegations to extort money through blackmail. Finding that the contents of the written complaint prima facie disclosed the commission of cognizable offences, the police formally registered the case and entrusted the statutory investigation to Sub-Inspector Bhim Singh Javla for deeper probe and necessary legal action.

4. After lodging of the aforesaid first information report, the investigation proceeded and upon completion of the same, the Investigating Officer has submitted the charge-sheet against the applicant on which the cognizance has been taken and the applicant has been summoned, against which the applicant has filed Criminal Revision No. 365 of 2023 which has also been rejected by the revisional court vide the impugned order dated 28th July, 2025. Hence, the present application has been filed.

5. In the second additional statement, the informant has stated that while the informant was intercepted near Bajrang Dhaba, a group of co-conspirators, comprising the self-proclaimed journalist Krishna Murari, a woman identified as Sabnam alias Madhu Sharma, her husband Murari Lal Sharma, alongside associates Sunita Sharma, Rajendra, and Rani Thakur, acted in collusion to subject the informant to severe psychological coercion. The accused persons collectively threatened the informant with public scandal and immediate imprisonment under fabricated allegations of sexual assault. Operating under this systemic duress, the accused journalist Krishna Murari directed the

informant to summon Ashok, the former Pradhan of Adeeg, to act as a mediator. Upon his arrival, a written compromise was executed between the informant and the woman Sabnam, witnessed by Ashok, wherein the specific financial consideration was intentionally kept concealed from public view at that juncture. 2. The record further highlights the sequence of events immediately following the execution of the purported compromise and the subsequent realization of the extorted sum. A police response vehicle (PRV Dial 112, bearing vehicle number 2631), carrying Constable Surendra Singh, Constable Dushyant Bhati, Constable Shyam Veer Singh, and Home Guard Manoj Kumar, arrived at the spot. The police personnel were turned away by the accused associates under the assertion that the dispute stood mutually resolved, and a copy of the written compromise was handed over to the PRV crew, who then departed without initiating statutory action. Within four days of the incident, the accused Ashok visited the informant's residence to enforce the terms of the staged settlement, successfully obtaining a sum of ₹2,00,000/- from the informant's family under the guise of an urgent loan required to clear the dispute. The discovery of this unauthorized financial transaction subsequently triggered severe domestic discord within the informant's household, ultimately leading to the initiation of the underlying criminal proceedings against the organized syndicate for extortion and criminal intimidation. 3. In the course of the statutory investigation, the Investigating Officer carried out a scientific verification by retrieving and examining the closed-circuit television (CCTV) footage captured from Krishna Seva Sadan. The technical analysis of the footage dated November 14, 2019, corroborates the physical movements and timeline of the principal characters involved in the occurrence. The electronic records demonstrate that at approximately 01:38 PM, the informant, along with one Pawan Dham, entered Govardhan on a motorcycle. At 02:06 PM, the woman Sabnam was captured proceeding on foot from Krishna Seva Dham Guest House towards Govardhan, followed by the informant exiting the Guest House on his motorcycle at 02:11 PM. Crucially, the footage pinpoints that at 02:06 PM, the accused individuals, Sabnam and Murari, were standing together in active conversation in front of Bajrang Dhaba, a fact visually identified and verified by the deployed PRV personnel. The Investigating Officer has formally extracted photo charts from the video stream, preserved the digital evidence on a Compact Disc (CD), and secured it under seal to form part of the prosecution's evidence.

6. Learned counsel for the applicant submitted that the First Information Report has been lodged on the basis of false and frivolous allegations, which

is nothing but an abuse of process of law only with a view to harass the applicant. It is further submitted that the first information report has been lodged after one month from the date of alleged incident. The applicant has not been named in the first information report nor anything incriminating material has been recovered from his possession or his pointing out. His name has surfaced for the first time in the confessional statement of co-accused Sunita and because of the case he has been charge-sheeted.

7. Per contra, learned A.G.A. has contented that from the allegations made in the First Information Report cognizable offence is made out against the applicants. The defence of the applicant cannot be taken into consideration, at this stage. Therefore, the applicant does not deserve any indulgence.

8. 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./528 B.N.S.S. At this stage only prima facie case is to be seen where the allegation made in the FIR/complaint, even of they are taken at their entirety, prima facie constitutes cognizable offence against the accused.

9. Position of law for invoking the jurisdiction of inherent power of High Court has been settled by the Apex Court in following judgments:-

1. **R.P. Kapur Vs. State of Punjab**, *A.I.R. 1960 S.C. 866*;

2. **Kurukshetra University Vs. State of Haryana**, *(1977) 4 SCC 451;*

3. **State of West Bengal Vs. Swapan Kumar Guha**, *(1982) 1 SCC 561;*

4. **Dhanalakshmi Vs. R. Prasanna Kumar**, *1990 Supp SCC 686;*

5. **State of Haryana & Others Vs. Bhajan Lal**, *1992 Supp (1) SCC 335;*

6. **State of Bihar Vs. P.P. Sharma**, *1992 Supp (1) SCC 222;*

7. **B.S. Joshi Vs, State of Haryana,** *(2003) 4 SCC 675;*

8. **Sanapareddy Maheedhar Seshagiri & another Vs. State of Andhra Pradesh & another**, *(2007) 13 SCC 165;*

9. **State of Telangana Vs. Habib Abdullaha Jilani & others**, *(2017) 2 SCC 779;*

10. **M/s Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharashtra & others**, *2021 AIR SC 1918.*

10. After considering the totality of facts of the case and keeping in mind the position of law, there is no merit in the present application. Apart from that there is no material to show that the complaint/FIR is malafide, frivolous and vexatious. The version of the first information report and the statement of the informant/complainant, recorded under Sections 161 Cr.P.C./180 B.N.S.S., the additional statement of the complainant, confessional statement of the co-accused Sunita support the prosecution version. The interference at the threshold of quashing of the criminal proceedings of the present case cannot be said to be exceptional as it discloses prima facie commission of cognizable offence.

11.In the result, the prayer for quashing of entire proceeding, charge sheet and cognizance order is refused.

12. With the aforesaid observations, the application is **dismissed.**

13. The future presence of Inspector Jitendra Singh, who is present in the Court today pursuant to the order of the Court dated 9th September, 2026, is exempted unless directed otherwise.

October 8, 2026
Sushil/-

(Madan Pal Singh,J.)

Digitally signed by :-
SUSHIL KUMAR SINGH
High Court of Judicature at Allahabad