

**Court No. - 50**

**Case :- APPLICATION U/S 482 No. - 42316 of 2024**

**Applicant :-** Aboo Nedal

**Opposite Party :-** State of U.P. and Another

**Counsel for Applicant :-** Mashhood Abbas

**Counsel for Opposite Party :-** G.A.

**Hon'ble Sanjay Kumar Pachori, J.**

Sri Mashhood Abbas, learned counsel for the applicant and learned A.G.A. for the State are present.

The present application u/s 482 Cr.P.C. has been filed with prayer to quash the entire proceedings of Case No. 12048 of 2024, arising out of Case Crime No. 97 of 2024, under Sections 420, 467, 468, 471 of I.P.C., P.S. Gambhirpur, District Azamgarh, as well as cognizance/summoning order dated 12.8.2024, pending in the Court of Judicial Magistrate, Court No. 26, Azamgarh.

Learned counsel for the applicant submitted that impugned First Information Report dated 28.3.2024 has been lodged on the basis of false and frivolous allegations with ulterior motive and only to harass the applicant. It is further submitted that as per allegation of F.I.R., it has been alleged that applicant filed an affidavit on the basis of false and frivolous documents before the court of Juvenile Justice Board. It is further submitted that instead of filing application under Section 340 of Cr.P.C., present F.I.R. has been lodged.

*Prima facie*, matter requires consideration.

Notice on behalf of respondent no. 1 has been accepted by learned A.G.A.

Issue notice to respondent no. 2 through C.J.M. concerned, returnable at an early date.

Learned A.G.A. as well as respondent no. 2 may file their counter affidavits within three weeks.

Rejoinder affidavit may thereafter be filed within one week.

List this case after eight weeks.

Until further orders, further proceedings of aforesaid case shall remain stayed against the applicant.

**Order Date :-** 6.6.2025

A.P. Pandey