2026:AHC:17787

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 15555 of 2025

Priyank Kumar

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anand Mohan Pandey, Vipul Kumar Mishra
Counsel for Respondent(s)	:	G.A.

Court No. - 53

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Sri Yash Pratap Singh, Advocate files vakalatnama on behalf of the opposite party nos. 2 to 7 today in Court which is taken on record.

3. Heard Sri Vipul Kumar Mishra, learned counsel for the petitioner(s), Sri Yash Pratap Singh, learned counsel for the opposite party nos. 2 to 7 and Sri Ajay Singh, learned AGA-I for the State/O.P. No. 1 and perused the record.

4. The present petition under Article 227 of the Constitution of India has been filed by the petitioner(s) **Priyank Kumar**, with the prayers to set aside the impugned order dated 28.10.2024 passed by Additional Chief Judicial Magistrate, Court No.5, Meerut in Complaint Case No. 13462 of 2023 (Priyank Kumar Vs. Bhuvnesh Kumar and others), under Sections 406, 420, 149, 323, 504, 506 IPC, P.S. Civil Lines, District Meerut and that of impugned order dated 28.08.2025 passed by Additional Sessions Judge, Court No.13, Meerut in Criminal Revision No. 74 of 2025 (Priyank Kumar Vs. State of U.P. and others).

5. The facts of the case are that the petitioner filed an application under Section 156(3) Cr.P.C. dated 10.11.2022 alleging therein that the accused are relatives and they in an illegal manner have got Uttar Pradesh Government written on their vehicles and used to take money and cheat people on the pretext of getting them employment, opening of medical stores and lab etc. The complainant knows computer typing and met Vineet Singh in the District Court and they became friends. In the year 2018, Vineet told him that he is working in a private company and offered him to work there on which since August, 2018 he started working there. The other accused met them who were introduced as seniors to Vineet. They took the photocopy of Aadhar Card, Pan Card and bank details of the complainant and got him signed on blank papers on the pretext of its

lawchakra.in

use in the company whenever required and it was stated by them that Bhuvnesh Kumar is an MBBS doctor and Medical Officer Incharge. He believed their versions and continued to work with them. In August 2019, Vineet Singh told him that Dr. Bhuvnesh and Sandeep have good contact in the Medical Department and there is an appointment to be done there on which he told him that his younger brother Ankur Singh be given employment therein. On 10.09.2019 Vineet Singh called him to the house of Munendra Singh and under conspiracy all the accused entangled him in their talks and told him that there is a post of clerk in Meerut Medical College, Meerut and they have good terms with the officials for which Rs. 10 lakh has to be given in the department and Rs. 2 lakh has to be given for expenditure. The total money as stated was Rs. 12 lakh. Later on Rs. 7 lakh was decided to be given and Rs. 5 lakh was to be given after receipt of the appointment letter. The accused told him to arrange to give Rs. 50,000/- immediately. He then transferred Rs. 50,000/- in the bank account of Dr. Bhuvnesh Kumar. Later on, he and his brother collected Rs. 4 lakh and desired to transfer in the said account on which they told him to give money in cash, he then on 12.10.2019 in front of Sanjeev Kumar and Manoj Singh has given it. The accused did not get any employment to his brother and they are not returning the money. He moved an application before the police station concerned but no action was taken. Later on, he sent an application to the Senior Superintendent of Police concerned on which also no action was taken. He is moving an application under Section 156(3) Cr.P.C. which be allowed and appropriate directions be issued for its investigation. On the said application, the matter was directed to be treated as a complaint and vide judgment and order dated 14.08.2023 the accused were summoned. The accused then challenged the same before this Court in Crl. Misc. Application U/s 482 No. 13125 of 2024 (Bhuvanesh Kumar and 5 others Vs. State of U.P. and another) which was disposed of vide order dated 29.08.2024 passed by a co-ordinate Bench of this Court and the order dated 14.08.2023 was set aside and the matter was remanded to the trial court to pass a fresh orders after hearing the complainant. The trial court concerned subsequently vide order dated 28.10.2024 dismissed the said complaint under Section 203 Cr.P.C. A revision against the same was preferred which also stood dismissed vide judgment and order dated 28.08.2025 by the revisional court. The present petition for writ has thus been filed with the prayers as aforesaid.

6. Learned counsel for the petitioner submits that the respondent no.2 to 7 are relatives in the present matter and have taken money for securing employment to the brother of the complainant but despite taking money they have not provided the employment to him and now are not returning the money. It is submitted that as such offence is made out against them and the impugned orders be aside and the accused nos. 2 to 7 deserve to be summoned to face trial.

7. Learned counsel for the State and learned counsel for the opposite party

Lawchakra.in

nos. 2 to 7 opposed the prayer and arguments of learned counsel for the petitioner and submitted that the entire allegations are false, concocted and with malafide intentions. It is submitted that there is nothing substantial on record to show that any such agreement was entered into between the complainant and the accused persons. It is submitted that even there is no evidence whatsoever to show that Rs. 4 lakh was given to the accused by the complainant. It is submitted that the present case is totally based on falsity and with malafide intentions because the complainant was working with the accused in the private firm and some differences arose between them and thus the application under Section 156(3) Cr.P.C. has been moved. Further it is submitted that the alleged agreement between the parties is against public policy. It is submitted that there is no illegality or irregularity in the orders impugned.

8. After having heard learned counsels for the parties and perusing the records, it is evident that the allegations in the present matter are of giving money to the accused by the complainant, the same is illegal, the said agreement is against public policy. The orders impugned dated 28.10.2024 and 28.08.2025 are speaking orders addressing merits of the matter and do not call for any interference.

9. In view of the same, the petition stands **dismissed**.

10. Pending application(s), if any, stand disposed of.

11. At this stage it is relevant further to refer to the order dated 08.01.2026 passed by this Court in the matter by which the Registrar (Criminal) was directed to call for an explanation from the Stamp Reporter regarding the lethargy in reporting the matter since previously underlined document with notes written by hand have been filed with the petition which was not objected by the Stamp Reporter. The Registrar (Criminal) in his report dated 22.01.2026 has reported that Sri Fanendra Pal Singh, Review Officer has reported the instant petition and he could not point out the handwritten notes and transcribed on the left side of pages 26 to 31 at the relevant time which stated by him to be at his end, is inadvertent and caused due to oversight. For this, he has tendered unconditional apology with assurance to remain more attentive and cautious in future.

12. Perused the said report. Neat and clean copies of documents are expected to be placed before the Courts. The mere response of the concerned Review Officer that the mistake is inadvertent due to oversight who tendered unconditional apology does not suffice.

13. The Registrar (Criminal) shall issue a warning to him that he has remained cautious in every matter and to work diligently in future.

14. Further this Court has perused the judgment and order dated

lawchakra.in

28.08.2025 passed by Additional Sessions Judge, Court No.13, Meerut in Criminal Revision No. 74 of 2025 (Priyank Kumar Vs. State of U.P. and others), the certified copy of which is annexed as annexure 6 to the writ petition. The perusal of the last paragraph of page 3 of the same goes to show that the revisional court while considering the judgment of the Apex Court reported in 2024 (128) ACC 307 has further mentioned the names of the Hon'ble Judges of the Supreme Court who have decided the matter. This system of the revisional court cannot be appreciated. It is reminded that while citing the judgments their citation and/or case number and party name and/or the date of decision along with the text which is relied upon is only to be quoted and mentioned in the judgment whereas on the said page the revisional court has mentioned the names of the Hon'ble Judges constituting the Bench. This Court does not appreciate the same and also is totally uncalled for. This Court had also come across a similar instance and has passed directions vide order dated 03.01.2025 in Criminal Appeal No. 5764 of 2024 (Mohd. Iftikhar Vs. State of U.P.) in compliance of which the Registrar General of this Court vide his letter No. 15/Admin.G-II/Allahabad dated 23.05.2025 addressed to all the District and Sessions Judges/OSD, Alld Principal Judges, Family Courts and all the Presiding Officers of Commercial Court, MACTs and LARRs had communicated the said directions to them, but the concerned revisional court appears to be quite oblivious to it.

15. The said Presiding Officer is hereby reminded of it and is called upon to look into the same and see that this error does not get repeated in future by him.

16. The Registrar (Compliance) shall communicate this order within one week to the District and Sessions Judge concerned for transmitting it to the concerned Officer for bringing it his notice and being cautious in future and shall also send a copy of this order directly to the concerned Officer wherever he is posted for his information and for being cautious in future. The officers shall send their report of compliance within two weeks thereafter.

17. Let this matter on 18.02.2026 at 04:30 PM in Chamber for further orders.

(Samit Gopal,J.)

January 27, 2026
M. ARIF

Lawchakra.in

Digitally signed by :-
MOHAMMAD ARIF
High Court of Judicature at Allahabad