



2026:AHC:177686

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL REVISION No. - 6497 of 2025

Lallu And Another

.....Revisionist(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Revisionist(s) : Harish Kumar Yadav, Krishna Gopal
Yadav

Counsel for Opposite Party(s) : Anand Vikram, G.A., Manish Pandey,
Mritunjay Verma

Court No. - 87

HON'BLE DIVESH CHANDRA SAMANT, J.

Heard Shri Harish Kumar Yadav, learned counsel for the revisionists, Shri Anand Vikram, learned counsel for opposite party No.4 as well as learned AGA for the State.

None is present on behalf of opposite party No.2 and 3.

Instant criminal revision has been preferred by the revisionist assailing the impugned order dated 04.08.2025 passed by the learned Principal Judge, Family Court, Sambhal at Chandausi passed in Misc. Case No. 760 of 2023 (Smt. Rani and Another Vs. Pushpendra), under Section 125(3) Cr.P.C., Police Station-Sambhal, District-Sambhal which has arisen out of Case No. 458 of 2019 (Smt. Rani and another Vs. Pushpendra) under Section 125 Cr.P.C., Police Station-Sambhal, District-Sambhal.

It has been submitted by learned counsel for the revisionists that, by the impugned order, their property has been directed to be attached in execution of the maintenance order passed against opposite party No.4, who is the son of revisionist No.1. It has further been submitted that the revisionist No.2 is the owner in possession of the property sought to be attached and that opposite party No.4 is the son of revisionist No.1 who is living separately and has been dispossessed from the property of the revisionist No.1. It is further submitted that the disputed house has been sold in favour of

revisionist No.2. Learned counsel for the revisionists further submits that, on an application moved by opposite party No.2 before the learned Principal Judge, Family Court seeking attachment of the property of opposite party No.4, the said application was allowed on the same day by passing the impugned order without verifying the ownership of the disputed house.

Learned counsel appearing for the opposite party No.4 has also submitted that the disputed house has been sold in favour of revisionist No.2-Smt. Maya wife of Ram Ratan.

It transpires from the perusal of the record that the learned Principal Judge, Family Court has passed that order for attachment of the house of Pushpendra i.e. opposite party No.4. Relevant portion of the order is reproduced hereinunder :-

“उपरोक्त परिस्थितियों में विपक्षी पुष्पेंद्र पुत्र लल्लू का मकान स्थित ग्राम करेली तहसील व थाना संभल जिला संभल, जिसकी सीमायें पूरब मकान अरविन्द, पश्चिम रास्ता, उत्तर अर्जी लल्लू आदि व दक्षिण मकान पप्पू की कुर्की हेतु कुर्की एवं विक्रय परवाना जारी हो। जिलाधिकारी संभल को पत्र जारी हो।

पत्रावली दिनांक 08.09.2025 को वास्ते अदायेगी पेश हो। ”

From a perusal of the impugned order, it appears that no contention regarding the ownership of the house sought to be attached was raised before the learned Principal Judge, Family Court, nor has the learned Principal Judge, Family Court recorded any finding with regard to its ownership. The revisionists are at liberty to raise their contentions with regard to the ownership of the disputed house before the learned Principal Judge, Family Court, in accordance with law.

It is also apparent that the revisionists are not parties to the proceedings and, therefore, have no locus to challenge the impugned order by filing the present revision.

Accordingly, the present revision is **disposed of** with a liberty to the revisionists to raise their contentions with regard to the ownership of

the disputed house before the learned Principal Judge, Family Court.

(Divesh Chandra Samant,J.)

August 21, 2026
Karan