



2026:AHC:57953

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1546 of 2026

Shaheen

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Keshawa Prasad Pandey, Krishna Chandra Pandey
Counsel for Respondent(s)	:	G.A.

Court No. - 51

HON'BLE ANIL KUMAR-X, J.

1. Heard learned counsel for the appellant and Shri K.K. Gupta, learned AGA for the State.
2. As per office report, notice on the respondent/informant has been served, but none has appeared on behalf of the said respondent to oppose the appeal.
3. This criminal appeal under Section 14-A(1) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been preferred by the appellant with a prayer to allow the appeal and set aside the impugned judgment and order dated 27.09.2021 passed by the learned Additional District and Sessions Judge/Special Judge, S.C./S.T. (P.A.), Act, Siddharth Nagar in Complaint Case No.01/2021, CNR No. UPSD01-000007-2021 (Ramrati Vs. Shaheen and others), Police Station-Trilokpur, District Siddharth Nagar, by which the appellant has been summoned for the offence under Sections 504, 506 I.P.C. and Section 3(1)Dha) of S.C./S.T. (P.A.) Act.
4. Learned counsel for the appellant has submitted that it is very much apparent from perusal of the statement of complainant recorded under Section 200 Cr.P.C. that appellant was falsely implicated at the instance of Gram Pradhan. Learned counsel submitted that respondent/complainant has alleged that she was abused and assaulted by appellant around 11:30 am on 19.12.2020 when she was engaged in some labour work of a field belonging to one Jahida Khatoon w/o . She has stated in her statement

under Section 200 Cr.P.C. that she has arrayed the accused persons in complaint after being asked by Gram Pradhan Ram Shabd. She has also stated that some agricultural equipment/machine of Gram Pradhan was on the field where the complainant was working. Learned counsel submitted that appellant is a lady and it is unexpected from her to approach the fields where complainant was working and then engage in a scuffle. It was lastly submitted by learned counsel that the impugned order is actuated with malafide and is liable to be set aside.

5. Learned AGA submitted that statements of respondent/complainant and her witnesses, prima facie, indicate the occurrence of incident. A court at the time of summoning the accused persons under Section 204 Cr.P.C. is not required to make a deep scrutiny of the statements recorded during the proceeding. Hence, the impugned order does not suffer from any infirmity and this criminal appeal is liable to be dismissed.

6. I have considered the submissions advanced by learned counsel for the parties and perused the entire record including the impugned order.

7. It is very much apparent from the allegations mentioned in the complaint that respondent was working as a labour on field of Jahida Khatoon. It has been alleged that appellant and other accused persons came there and stopped her from doing work in the field. Further altercation resulted after respondent/complainant refused to follow the dictates of the appellant and other accused persons. Motive is not required in cases where there is evidence of eye witnesses. Here the complainant herself is not only eye witness but is also an injured. But it is also true where the genesis of the story itself becomes doubtful, then the court should be very slow in believing the statement/testimony of complainant and her/his witnesses, unless it has certain cogent base.

8. It is difficult to appreciate the origin which further resulted into the altercation. It is also not clear what motivated the appellant and other accused persons to interfere the complainant at the time she was working in the field. Her admission that she had mentioned the name of the appellant on being asked by Gram Pradhan raises further suspicion on her claim. Hence, this Court is of the view that in absence of any cogent and

reliable evidence against the appellant, the continuance of criminal proceedings against the appellant will amount to an abuse of process of law. Even if the entire allegations are taken true on their face value, then also it becomes very much difficult to hold that prima facie case is made out against the appellant.

9. In view of the aforesaid, the impugned order dated 27.9.2021 passed by learned trial court as well as the entire proceedings in Complaint Case No.01/2021, CNR No. UPSD01-000007-2021 (Ramrati Vs. Shaheen and others), insofar as they relate to the appellant, are hereby quashed.

10. This criminal appeal is, accordingly, **allowed**.

(Anil Kumar-X,J.)

March 20, 2026
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