



2026:AHC:58715

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1813 of 2026

Veerpal Chaudhary And Another

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Akshay Mishra, Zeeshan Mazhar
Counsel for Respondent(s)	:	G.A., Subhash Chand

Court No. - 51

HON'BLE ANIL KUMAR-X, J.

1. Heard Sri Akshay Mishra, learned counsel for the appellants, Sri Pramod Kumar, holding brief of Sri Subhash Chand, learned counsel for the respondent no. 2 and Sri Shubham Tandon, learned State Law Officer for the State as also perused the record.

2. The present criminal appeal under Section 14-A(1) Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act has been preferred to allow present appeal and set aside the Charge-sheet dated 21.02.2025 and impugned order dated 02.05.2025 in Session Trial No. 2664 of 2025 (Veerpal and Another vs. State) passed by Special Judge (SC/ST Act) Aligarh arising out of Case Crime No. 430 of 2024, under sections 74, 115(2), 351(2) 352 of Bhartiya Nyaya Sanhita, and 3(2)(va) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, Police Station Chharra, District Aligarh.

3. Respondent/ victim stated in FIR that on 02.12.2024 at about 12:00 noon, she had gone to the forest to collect fodder for her animals. She has alleged that she saw appellant Veerpal Chaudhary, consuming alcohol at some distance. After she had tied the fodder and was about to leave, Veerpal came from behind, threw her bundle of fodder, caught hold of her hand, and started misbehaving with her. When she protested, he assaulted her. She has further stated that when she raised alarm, Reena Devi, wife of Sonu, and other persons came there and tried to save her. It is alleged that Veerpal also assaulted Reena Devi. In the meantime, appellant Lokesh Chaudhary, brother of Veerpal, reached the spot. Both of them allegedly abused the informant and Reena Devi in filthy language, used casteist slurs and misbehaved with them, and also extended threats that if they disclosed the incident to anyone, they would kill them and their family members.

4. Learned counsel for the appellant submitted that the FIR was lodged by the victim herself; however, she has made material improvements in her statements under Sections 180 and 183 BNSS. It is submitted that she has stated that appellant Lokesh came running towards her and pushed her, which was not stated in the FIR. It is further submitted that in the FIR, the victim has stated that Rina arrived at the spot after hearing her screams, and she has stated the same fact before the Investigating Officer. However, in her statement under Section 183 BNSS, she has claimed that Rina was present with her at the time of the incident. It is also submitted that Rina has not corroborated the version of the victim and has stated that one Rajwati was objecting to them for destroying her crops. It is thus submitted that such inconsistencies in the statements of the victim create serious doubt regarding the allegations against the appellants.

5. Learned State Law Officer and Learned Counsel for informant submitted that statement of victim is consistent on the issue of molestation committed against her. She stated that both appellants assaulted, abused and molested her. Minor inconsistency occurring in statements of victim and witnesses is not sufficient to discard the prosecution version.

6. Heard learned counsel for the parties and perused the record.

7. The FIR was lodged by the victim herself. In the FIR, the allegation of molestation is against appellant Veerpal, and the role of appellant Lokesh is limited to the fact that he came after the incident, abused the victim and Rina, and misbehaved with them.

8. However, in her statements under Sections 180 and 183 BNSS, the victim has changed her version and stated that appellant Lokesh also assaulted and molested her, and that thereafter Veerpal came and committed similar acts. This is clearly different from what was stated in the FIR.

9. The statement of Renu shows that the dispute started when Rajwati objected to damage to her crops, after which a quarrel took place. The independent witnesses, namely Jahid, Dataram, Krishna Gopal, and Devendra, have also stated that the incident happened due to a dispute between Rajwati and the women of the Jatav community, including the victim, regarding damage to the ridge and fencing of the field. These witnesses have denied the allegations of molestation and have stated that only a quarrel took place between the women of both sides.

10. From the above, it appears that the incident started from a dispute and led to a sudden quarrel between the parties. The allegations made by the victim appear to be exaggerated, and there are clear inconsistencies in her

statements.

11. Accordingly, the present appeal is **allowed**. The impugned charge-sheet dated 21.02.2025 as well as the impugned order dated 02.05.2025 passed by the Special Judge (SC/ST Act), Aligarh, in Session Trial No. 2664 of 2025 (Veerpal and Another vs. State), arising out of Case Crime No. 430 of 2024, are hereby **set aside**. Consequently, the entire proceedings of the aforesaid case against the appellants stand **quashed**.

March 19, 2026
Mukesh

(Anil Kumar-X,J.)