



2026:AHC:56477

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 3517 of 2026

Shanti Devi

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Vinod Kr Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 77

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Heard Sri Vinod Kr. Pandey, learned counsel for the applicant and learned A.G.A. for the State.

2. Learned counsel for the applicant submits that the present application has been filed with the relief which has been mentioned in the prayer clause of the Application. The prayer clause is delineated below:-

"It is therefore most respectfully prayed that this Hon'ble court may graciously be pleased to allow this application and quash the impugned charge sheet dated 18.09.2025 submitted by Inspector Economic Offences Wing, Organization Sector Varanasi being Charge Sheet No. 08C of 2023 in connection with Case Crime No. 046/2006, Under Section 409, 420, 467, 468, 471, 120B, 34 I.P.C. Police Station- Sikandarpur, District Ballia as well as entire consequential proceeding consequent upon aforesaid charge sheet including the cognizance taken by learned Additional Session Judge/ Special Judge (Prevention of Corruption Act), Court No.1, Varanasi vide order dated 13.10.2025, being Special Trial No. 320/2023 (State Vs. Kameshwar Rai and others)."

3. Learned counsel for the applicant submits that for the same cause of action, proceeding pending in the Trial Court in respect of co-accused has already been quashed by this Court vide order dated 16.12.2025 passed in Application U/s 482 NO. 39496 of 2023, Arjun Ram vs. State of U.P. and another (bunch matter) and the name of the co-accused has been mentioned at Serial No. 39 and particulars of case details has been mentioned at internal page 10, paragraph (xl) of the said judgment. The order dated 16.12.2025 is delineated below:-

"1. As in all these matters similar allegations have been made against applicants and same issue is involved in all the matters, therefore, all the

applications are being heard and disposed off by a common order.

2. Heard learned counsel for applicants and Sri Vijay Kumar and Dr. S.B. Maurya, learned AGAs-I for the State.

3. Applicants made the following prayers:-

"(i) Applicant Arjun Ram has filed the instant application with a prayer to quash the charge-sheet No.5B of 2020 dated 30.01.2020 as well as cognizance and summoning order dated 05.10.2023 and Special Trial No. 10 of 2019 arising out of Case Crime No. 66B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Bairiya, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Ist, Varanasi.

(ii) Applicants Vijendra Singh, Lallan Rai, Bheem and Shahnawaj Ansari have filed the instant application with a prayer to quash the charge-sheet dated 08.10.2018 in Case Crime No. 34A of 2006, under Sections 409, 419, 420, 467, 468, 471, 201, 120B/34 IPC, Police Station Narahi, District Ballia.

(iii) Applicant Lakshmi Narayan Chaudhary @ Lakshmi Nath Chaudhary has filed the instant application with a prayer to quash the charge-sheet No.7B of 2014 dated 31.12.2022 as well as cognizance and summoning order dated 06.07.2023 passed by Special Judge (Prevention of Corruption Act) Ist, Varanasi in Special Trial No. 61 of 2023 arising out of Case Crime No. 41A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Sukhpura, District Ballia.

(iv) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 08.11.2019 as well as summoning order dated 10.12.2019 passed by Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi in Special Case No. 07 of 2019 arising out of Case Crime No. 20 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Haldi, District Ballia.

(v) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 15.03.2018 as well as summoning order dated 10.12.2019 passed by Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi in Special Case No. 08 of 2019 arising out of Case Crime No. 45B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Sikandarpur, District Ballia.

(vi) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 08.11.2019 as well as summoning order dated 10.12.2019 passed by Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi in Special

Case No. 12 of 2019 arising out of Case Crime No. 82 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Ubhanw, District Ballia.

(vii) Applicant Arun Kumar Mishra has filed the instant application with a prayer to quash the charge-sheet No. 17 of 2019 dated 05.12.2019 as well as cognizance order dated 10.11.2023 and Special Trial No. 823 of 2023 arising out of Case Crime No. 57B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Revati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(viii) Applicants Surya Mukhi Yadav, Sudarshan Yadav, Lalchandra Pandey, Ram Pratap Singh, Rajbahadur, Satya Narayan Prasad, Harihar Yadav, Rajendra Prasad Singh, Chhedi Ram, Sikil Chandra Prasad, Babban Yadav and Sri Kishun Verma have filed the instant application with a prayer to quash the proceeding of Special Trial No. 725 of 2023 and Charge-sheet dated 07.10.2023 arising out of Case Crime No. 48A of 2006 as well as cognizance order dated 12.10.2023, under Sections 409, 420, 467, 468, 471, 120B/34 IPC, Police Station Gadwar, District Ballia pending in the court of Special Judge, Court No.1, Varanasi.

(ix) Applicants Changur Ram and Ved Ratan Ram have filed the instant application with a prayer to quash the charge-sheet No. 16A of 2019 dated 29.05.2021 as well as cognizance and summoning order dated 31.05.2022 in Special Trial No. 12 of 2019 arising out of Case Crime No. 82 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC, Police Station Ubhaon, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(x) Applicant Smt. Geeta Devi has filed the instant application with a prayer to quash the charge-sheet No. 50A of 2021 dated 02.05.2022 as well as summoning order dated 12.05.2022 in Special Trial No. 569 of 2022 arising out of Case Crime No. 40A of 2006, under Sections 409, 420, 467, 468, 471, 120B/34 IPC, Police Station Nagra, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xi) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 14.05.2022 as well as summoning order dated 18.06.2022 in Special Case No. 11 of 2019 arising out of Case Crime No. 66 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Bairiya, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet

dated 01.04.2021 as well as summoning order dated 27.05.2022 in S. T. No. 631 of 2022 arising out of Case Crime No. 36 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Maniyar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xiii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 13.05.2022 as well as summoning order dated 10.11.2023 in Special Trial No. 823 of 2023 arising out of Case Crime No. 57B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Rewati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xiv) Appellants Kiran Devi, Ram Narain, Shivji Prasad, Satya Dev, Ram Ashish, Raj Narain Yadav @ Rajnath Yadav and Udaibhan Pandey have filed the instant application with a prayer to quash the cognizance order dated 28.09.2020 in Special Trial No. 626 of 2020 arising out of Case Crime No. 49A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 201, 120B/34 IPC, Police Station Gadwar, District Ballia pending in the court of Special Judge (P.C. Act) Court No.1, Varanasi.

(xv) Appellants Smt. Sona Devi and Smt. Indu Devi have filed the instant application with a prayer to quash the Charge-sheet No. 05A of 2021 dated 02.05.2022 as well as cognizance and summoning order dated 12.05.2022 and Special Trial No. 569 of 2023 arising out of Case Crime No. 40A of 2006, under Sections 409, 420, 467, 468, 471, 120B/34 IPC, Police Station Nagara, District Ballia pending in the court of Special Judge (P.C. Act) Court No.1, Varanasi.

(xvi) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 15.03.2018 as well as summoning order dated 26.08.2022 and Special Case No. 978 of 2022 arising out of Case Crime No. 57A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Rewati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xvii) Applicant Amreshwar Singh has filed the instant application with a prayer to quash the charge-sheet dated 01.04.2021 as well as summoning order dated 27.05.2022 and Special Trial No. 631 of 2022 arising out of Case Crime No. 36 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Maniyar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xviii) Applicant Ram Kishun Ram @ Ram Kishun has filed the instant application with a prayer to quash the charge-sheet dated 12.05.2022 as well as summoning order dated 26.08.2022 and S.T. No. 978 of 2022 arising out of Case Crime No. 57A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Rewati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xix) Applicant Kedar Prasad @ Kedar Prasad Gupta has filed the instant application with a prayer to quash the charge-sheet dated 05.12.2022 as well as summoning order dated 06.04.2023 and Special Case No. 978 of 2022 arising out of Case Crime No. 57A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Rewati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xx) Applicant Vimal Kumar Shukla has filed the instant application with a prayer to quash the Special Trial No. 631 of 2022 arising out of Case Crime No. 36 of 2006 as well as cognizance order dated 17.05.2022, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Maniyar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxi) Applicant Ram Kishun Ram @ Ram Kishun has filed the instant application with a prayer to quash the charge-sheet dated 07.01.2021 as well as summoning order dated 21.04.2023 and Special Trial No. 07 of 2029 arising out of Case Crime No. 20 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Haldi, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xxii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 03.07.2020 as well as summoning order dated 24.06.2023 and Special Trial No. 06 of 2019 arising out of Case Crime No. 18 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Dokati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xxiii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 28.05.2019 as well as summoning order dated 10.12.2019 and Special Case No. 10 of 2019 arising out of Case Crime No. 66B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Bairiya, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court

No.1, Varanasi.

(xxiv) Applicant Lakshmi Narayan Chaudhary @ Lakshmi Nath Chaudhary has filed the instant application with a prayer to quash the charge-sheet No.2D of 2018 dated 03.10.2022 as well as cognizance and summoning order dated 06.04.2023 and Special Trial No. 978 of 2022 arising out of Case Crime No. 57A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Reoti, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxv) Applicant Arjun Ram has filed the instant application with a prayer to quash the charge-sheet No. 14A of 2019 dated 03.07.2020 as well as cognizance and summoning order dated 24.06.2023 and Special Trial No. 06 of 2019 arising out of Case Crime No. 18 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Dokati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxvi) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 15.03.2018 as well as summoning order dated 06.07.2023 and Special Case No. 61 of 2023 arising out of Case Crime No. 41A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Sukhpura, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xxvii) Applicant Lakshmi Narayan Chaudhary @ Lakshmi Nath Chaudhary has filed the instant application with a prayer to quash the charge-sheet No. 16E of 2019 dated 23.09.2022 as well as cognizance and summoning order dated 26.09.2022 and Special Trial No. 12 of 2019 arising out of Case Crime No. 82 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Udhaon, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxviii) Applicant Arjun Ram has filed the instant application with a prayer to quash the charge-sheet No. 16F of 2019 dated 27.09.2022 as well as cognizance and summoning order dated 23.11.2022 and Special Trial No. 12 of 2019 arising out of Case Crime No. 82 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Udhaon, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxix) Applicant Arjun Ram has filed the instant application with a prayer to quash the charge-sheet No. 7B of 2014 dated 31.12.2022 as well as cognizance and summoning order dated 06.07.2023 and Special Trial No. 61 of 2023

arising out of Case Crime No. 41A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Sukhpura, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxx) Applicant Ravi Kumar has filed the instant application with a prayer to quash the charge-sheet dated 12.05.2022 as well as summoning order dated 26.08.2022 and Session Case No. 978 of 2022 arising out of Case Crime No. 57A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Rewati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xxxi) Applicant Surendra Nath Mishra has filed the instant application with a prayer to quash the charge-sheet dated 14.08.2023 as well as summoning order dated 05.11.2024 and Special Trial No. 1032 of 2024 arising out of Case Crime No. 66A of 2006, under Sections 409, 419, 420, 467, 468, 471, 120B, 218, 201, 34 IPC and 13(2) P.C. Act, Police Station Bairiya, District Ballia pending in the court of Additional District and Sessions Judge/Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xxxii) Applicant Ramendra Yadav has filed the instant application with a prayer to quash the cognizance order dated 07.10.2020 as well as proceeding of Special Trial No. 02 of 2018 arising out of Case Crime No. 34A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 201, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Narhi, District Ballia pending in the court of Special Judge (P.C. Act), Court No.1 Varanasi.

(xxxiii) Applicant Arjun Ram has filed the instant application with a prayer to quash the charge-sheet No.2C of 2019 dated 14.11.2019 as well as cognizance order dated 07.10.2020 passed by Special Judge (Prevention of Corruption Act), Court No.1, Varanasi in Special Trial No. 04 of 2019 arising out of Case Crime No. 56B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 201, 120B/34 IPC and Section 13(2) P.C. Act, Police Station Rasra, District Ballia.

(xxxiv) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 19.01.2019 as well as summoning order dated 26.09.2019 passed by Special Judge (Prevention of Corruption Act) Special Court No.1 Varanasi in Special Case No. 04 of 2019 arising out of Case Crime No. 56B of 2006, under Sections 409, 419, 420, 467, 468, 471, 477A, 201, 120B/34 IPC and Section 13(2) P.C. Act.

(xxxv) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 19.01.2019 as well as summoning order dated 28.09.2019 passed by Special Judge (Prevention of

Corruption Act) Special Court No.1 Varanasi in Special Case No. 626 of 2020 arising out of Case Crime No. 49A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 201, 120B/34 IPC and Section 13(2) P.C. Act.

(xxxvi) Applicant Vikas Kumar has filed the instant application with a prayer to quash the Special Trial No. 14 of 2019 arising out of Case Crime No. 48-kha of 2006 as well as cognizance order dated 11.12.2019, under Sections 409, 420, 467, 468, 471, 477A, 201, 120B/34 IPC and 13(2) P.C. Act, Police Station Gadwar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxxvii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 19.01.2019 as well as summoning order dated 11.12.2019 and Special Case No. 14 of 2019 arising out of Case Crime No. 48-B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 201, 120B/34 IPC and 13(2) P.C. Act, Police Station Gadwar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xxxviii) Applicant Ram Adhar Kushwaha has filed the instant application with a prayer to quash the charge-sheet No. 2C of 2018 dated 15.02.2023 as well as cognizance and summoning order dated 06.02.2024 and Special Trial No. 999 of 2022 arising out of Case Crime No. 56A of 2006, under Sections 409,, 420, 467, 468, 471, 120B/34 IPC and 13(2) P.C. Act, Police Station Rasra, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xxxix) Applicant Arjun Ram has filed the instant application with a prayer to quash the charge-sheet No. 2C of 2018 dated 05.12.2019 as well as cognizance and summoning order dated 10.11.2023 and Special Trial No. 823 of 2023 arising out of Case Crime No. 57B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Rewati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xl) Applicant Kameshwar Rai has filed the instant application with a prayer to quash the charge-sheet No. 08 of 2023 dated 03.04.2023 as well as cognizance and summoning order dated 26.04.2023 and Special Trial No. 320 of 2023 arising out of Case Crime No. 46 of 2006, under Sections 409, 420, 467, 468, 471, 120B/34 IPC and 13(2) P.C. Act, Police Station Sikandarpur, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xli) Applicants Sita Ram Singh, Navanath Ojha, Yogendra Nath Ojha and Chandrawati Devi have filed the instant application with a prayer to quash the charge-sheet No. 15D of 2019 dated 20.01.2025 as well as cognizance and

summoning order dated 05.06.2025 and Special Trial No. 07 of 2019 arising out of Case Crime No. 20 of 2006, under Sections 409, 419, 420, 467, 468, 471, 477A, 120B/34 IPC, Police Station Haldi, District Ballia pending in the court of Additional District and Sessions Judge/Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xlii) Applicant Satyendra Singh Gangwar has filed the instant application with a prayer to quash the charge-sheet No. 08 of 2019 dated 03.08.2019 as well as cognizance order dated 27.05.2022 and Session Case No. 631 of 2022 arising out of Case Crime No. 36 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Maniyar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xliii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 03.08.2019 as well as summoning order dated 29.04.2025 and Special Trial No. 369 of 2025 arising out of Case Crime No. 42 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Sukhpura, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xliv) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 04.04.2019 as well as summoning order dated 24.05.2025 and Special Trial No. 480 of 2025 arising out of Case Crime No. 32 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Dubhar, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xlv) Applicant Ram Aasre Yadav @ Ramashray Yadav has filed the instant application with a prayer to quash the charge-sheet dated 30.01.2020 as well as summoning order dated 05.10.2023 and Special Case No. 10 of 2019 arising out of Case Crime No. 66B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Bairiya, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xlvi) Applicant Lakshmi Narayan Chaudhary has filed the instant application with a prayer to quash the charge-sheet No. 7D of 2018 dated 26.08.2022 as well as cognizance order dated 06.04.2023 and Special Trial No. 13 of 2019 arising out of Case Crime No. 17 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Dokati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xlvii) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 09.11.2019 as well as summoning order dated 10.12.2019 and Special Case No. 13 of 2019 arising out of Case Crime No. 17 of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Dokati, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xlviii) Applicant Hira Lal has filed the instant application with a prayer to quash the charge-sheet No. 12A of 2019 dated 12.09.2022 as well as cognizance order dated 11.07.2025 and Special Trial No. 09 of 2019 arising out of Case Crime No. 82-B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Udhaon, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(xlix) Applicant Ram Murti Ram @ Ram Murti has filed the instant application with a prayer to quash the charge-sheet dated 06.11.2019 as well as summoning order dated 10.12.2019 and Special Case No. 09 of 2019 arising out of Case Crime No. 82-B of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Udhaon, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(xl) Applicant Kuldeep Singh has filed the instant application with a prayer to quash the charge-sheet No. 5A of 2021 dated 02.05.2022 as well as cognizance and summoning order dated 12.05.2022 and Special Trial No. 569 of 2022 arising out of Case Crime No. 40A of 2006, under Sections 409, 420, 467, 468, 471, 120B/34 IPC and 13(2) P.C. Act, Police Station Nagra, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Court No.1, Varanasi.

(li) Applicant Vijay Kumar Chaudhary has filed the instant application with a prayer to quash the charge-sheet No. 2D of 2022 dated 20.10.2023 as well as cognizance and summoning order dated 01.12.2023 and Special Trial No. 999 of 2022 arising out of Case Crime No. 56A of 2006, under Sections 409, 420, 467, 468, 471, 120B/34 IPC and 13(2) P.C. Act, Police Station Rasra, District Ballia pending in the court of Special Judge (Prevention of Corruption Act) Special Court No.1, Varanasi.

(lii) Applicant Ashwani Kumar Srivastava has filed the instant application with a prayer to quash the Special Trial No. 626 of 2020 as well as cognizance order dated 28.09.2020 arising out of Case Crime No. 49A of 2006, under Sections 409, 420, 467, 468, 471, 477A, 120B/34 IPC and 13(2) P.C. Act, Police Station Gadwar, District Ballia pending in the court of Special Judge (Prevention of

Corruption Act) Court No.1, Varanasi."

4. *Learned counsels for the applicants submitted that all the instant applications are being pressed on the sole ground that investigation of all the cases continued for more than a decade and therefore fundamental right of speedy trial of the applicants have been violated.*

5. *They further submits, FIRs of all these matters were lodged in the year 2006 and charge-sheets in all these cases were filed after the year 2019 and therefore investigation of all these cases continued for more than twelve years and therefore fundamental right of speedy trial of applicants have been violated.*

6. *They further submitted that law is by far now settled that delay in investigation should also be considered while considering the fact whether fundamental right of speedy trial of accused has been violated or not. They placed reliance on the judgment of the Apex Court in the case of Pankaj Kumar Vs. State of Maharashtra and others 2008 (16) SCC 117. They further submitted that even recently the Apex Court in the case of Robert Lalchungnunga Chongthu @ R L Chongthu Vs. State of Bihar 2025 INSC 1339 also observed that where there is delay in conducting the investigation and prosecution failed to provide any explanation in this regard then on this ground prosecution pending against accused can be quashed.*

7. *They further submitted that in all the instant matters prosecution could not provide any explanation why investigation continued for more than twelve years.*

8. *They further submits, on the basis of general and omnibus allegations as many as 51 FIRs were lodged including FIR of the present cases in the year 2006 with the allegation that accused persons misappropriated the public fund relating to Sampurna Gramin Rojgar Yojna and in all these cases investigation continued for more than twelve years.*

9. *They further submitted that when some of the accused of above cases approached this Court for quashing of their proceedings on the ground that as investigation continued for more than a decade therefore their fundamental right of speedy trial has been violated then this Court in their applications vide Application U/S 528 BNSS No. 21588 of 2025 (Girish Pandey Vs. State of U.P. and others), Application U/S 528 BNSS No. 21594 of 2025 (Smt. Mangari Devi and others Vs. State of U.P. and others) and Application U/S 528 BNSS No. 21595 of 2025 (Radhey Shyam and others Vs. State of U.P. and others) after considering the fact that investigation of these cases continued for more than ten years quashed the proceedings pending against them and observation and findings recorded by this Court in above cases are equally applicable in the present cases.*

10. *They further submitted that therefore considering above facts proceedings pending against the applicants in aforesaid cases are also liable to be quashed.*

11. *Per contra, learned AGA opposed the prayer but could not dispute the fact that in all these matters investigation continued for more than ten years and State could not explain the delay of investigation. He further could not dispute that the observation made in Application U/S 528 BNSS No. 21588 of 2025 (Girish Pandey Vs. State of U.P. and others), Application U/S 528 BNSS No. 21594 of 2025 (Smt. Mangari Devi and others Vs. State of U.P. and others) and Application U/S 528 BNSS No.*

21595 of 2025 (*Radhey Shyam and others Vs. State of U.P. and others*) are equally applicable in present matters.

12. I have heard both the parties and perused the record of the case.

13. Applicants challenged the proceedings pending against them on the sole ground that FIRs in all the cases have been lodged in the year 2006 but investigation continued for more than twelve years and charge-sheets in all the cases have been filed after 2019 and, therefore, their fundamental right of speedy trial has been violated. The law is settled that on the ground of violation of fundamental right of speedy trial, proceeding pending against an accused can be quashed. (See: *Abdul Rehman Antulay Vs. R.S. Nayak* 1992 CrLJ 2717).

14. Further, Seven Judges Constitution Bench of the Apex Court in the case of *P. Ramachandra Rao Vs. State of Karnataka* (2002) 4 SCC 578 also approved the law laid down by the Apex Court in *Abdul Rehman Antulay* case (supra) and observed that on the ground of violation of fundamental right of speedy trial, proceeding pending against an accused can be quashed.

15. Further, the Apex Court in the case of *Pankaj Kumar* (supra) held that the right of speedy trial is a fundamental right provided under Article 21 of the Constitution of India and this right is applicable not only to the actual proceedings in court but also includes within its sweep the preceding police investigation as well. The Apex Court further held that the right of speedy trial extends equally to all criminal persecutions and is not confined to any particular category of cases.

16. Recently, the Apex Court in the case of *Robert Lalchungnunga Chongthu @ R L Chongthu* (supra) also held that if there is violation of fundamental right of speedy trial and there is delay in investigation then proceedings pending against an accused can be quashed however Apex Court further observed that an explanation should be called from the State in this regard. In the present matter, however explanation was called from the State but State could not provide any explanation on the delay in investigation. Further, there is no material on record which can suggest that applicants were responsible in delay in investigation.

17. Further, however, all the instant matters relate to provisions of Prevention of Corruption Act but Apex Court in the case of *Ramanand Chaudhary Vs. State of Bihar and others* AIR 1994 SC 948 quashed the proceedings relate to provisions of Prevention of Corruption Act on the ground that there is delay of 13 years in granting sanction and even Apex Court in the case of *Mahendra Lal Das Vs. State of Bihar* 2002 (1) SCC 149 also quashed the proceedings pending against the accused in case relating to Prevention of Corruption Act on the ground of delay in investigation.

18. Further, the Apex Court in its celebrated decision in the case of *Hussainara Khatoon and others Vs. Home Secretary State of Bihar* (1980) 1 SCC 81 also observed that right of speedy trial is an integral and essential part of the fundamental right to life and liberty.

19. In the present matter as investigation of all the cases continued for more than a decade, therefore, there is inordinate delay in concluding the investigation and prosecution failed to explain the delay in investigation and even delay is not attributable to applicants, therefore, it reflects, fundamental right of speedy trial of the applicants have been violated.

20. Further, it appears, on the basis of general and omnibus allegations

as many as 51 FIRs were lodged in the year 2006 including FIRs of present cases and in all the cases investigation continued for more than a decade and when some of accused of those cases approached in this Court for quashing of proceedings in the separate applications moved under Section 528 BNSS (details of applications has already noted in para-9) then this Court quashed their proceedings after considering the fact that as investigation continued for more than a decade therefore their fundamental right of speedy trial has been violated and observation made by this Court in above cases are equally applicable in these present matters.

21. Therefore, considering the facts and circumstances of the case discussed above, in view of this Court as in all the cases there is delay of more than 12 years in concluding the investigation and State could not provide any explanation of delay in investigation, therefore, fundamental right of speedy trial of the applicants have been violated and therefore proceeding pending against them are liable to be quashed.

22. Accordingly, proceedings pending against applicants in all the aforesaid cases are hereby quashed.

23. All the applications are allowed.

emphasis added

4. In view of the above, this application is also **allowed** and the entire proceedings of Special Trial No. 320 of 2023 (State Vs. Kameshwar Rai and others), arising out of Case Crime No. 046 of 2006, under Sections 409, 420, 467, 468, 471, 120B, 34 I.P.C., Police Station- Sikandarpur, District Ballia pending in the Court of Additional Session Judge/ Special Judge (Prevention of Corruption Act), Court No.1, Varanasi, in respect of the applicant is **quashed**.

(Praveen Kumar Giri,J.)

March 19, 2026

DKS