



2026:AHC:58187

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 3142 of 2026

Smt. Saroj Chopra

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Padmaker Pandey
Counsel for Respondent(s)	:	G.A.

Court No. - 53

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Heard Sri Sunil Kumar Singh, Advocate, holding brief of Sri Padmaker Pandey, learned counsel for the petitioner, Sri Ajay Singh, learned A.G.A.-I for the State and perused the record.

3. This writ petition has been filed by the petitioner with the following prayers:-

"It is therefore, most respectfully prayed that the Hon'ble Court may pleased to:

i. To set-a-side the orders dated 28.04.2025 passed by Learned Additional Civil Judge (J.D.) in complaint case no. 3573 of 2024 under section 173(4) B.N.S.S. (Saroj Chopara Vs. Samta Suneja and others) as well as order dated 17.11.2025 passed by Session Judge Kanpur Nagar in criminal revision no. 290 of 2025 (Saroj Chopara Vs. Samta Suneja and others) District Kanpur Nagar.

ii. To pass appropriate order or direction directing to courts below to decide complaint no. 3573 of 2024 under section 173(4) B.N.S.S. (Saroj Chopara Vs. Samta Suneja and others) District Kanpur Nagar as fresh.

iii. To issue any other suitable, order or direction which this Hon'ble court may deem fit and proper in the present circumstances of the case.

iv. To award the costs of the instant petition to the petitioner."

4. The fact from it stems out is that an application dated 2.09.2024 filed under Section 173(4) BNSS by the petitioner has been treated as a complaint vide order dated 28.4.2025 passed by the Additional Civil Judge (J.D.)/Court No.3, Kanpur Nagar in Misc. Case No. 3573 of 2024, Saroj Chopra vs. Samta Suneja and others, and the complainant was called upon for her statement under Section 223 BNSS. Being dissatisfied with it she moved a revision before the Sessions Judge concerned which stood dismissed vide judgement and order dated 17.11.2025 passed by the Sessions Judge, Kanpur Nagar. Further being dissatisfied with them the present writ petition has been filed before this Court with the prayers as aforesaid.

5. The allegations in the application under Section 173(4) BNSS filed by the petitioner is that she is a senior citizen and widow. After death of her husband in the year 2014, she received some money and also share in the property. Her daughter Smt. Samta Suneja and her husband Rajesh Kumar Suneja got her bank account opened in which her daughter by cheating got herself inducted in it as a joint holder and on 06.7.2017 transferred Rs.5 lakh. She tried to stop her but they did not agree to it and with an ill intention became joint holder with an intention to cheat. They got sold off part of the house without telling her of selling it in Rs.20 lakh only whereas actual price of the property was around a crore. They got fixed deposit made in the bank in which also without telling her became joint holder. They had told her that she is only a nominee but they illegally cheated with the money. The said application was treated as a complaint by the trial court concerned. The complainant being dissatisfied preferred a revision before the Sessions Judge concerned, which was dismissed and the order of the trial court was affirmed.

6. Submission of learned counsel for the petitioner is that the matter is such in which investigation was needed as the investigating officer would have gone to Bank and collected evidence against the accused to show the intention, cheating and forgery committed by the accused. It is submitted that by cheating money has been transferred from the Bank of

the complainant and as such the view taken by the trial court and the revisional court deserve to be set aside and the matter be directed to be registered as a F.I.R. which needs to be investigated.

7. Learned counsel for the State has opposed the petition and the prayers.

8. After having heard learned counsels for the parties and perusing the records, it is evident that the dispute raised in the matter is against her daughter and son-in-law. The allegations are with regards to transactions in bank account. The same are well recorded and documented acts. The view taken by the trial court does not suffer from any irregularity or illegality. Even the revisional court has considered the matter in detail and dismissed the revision. There is no ground to interfere in the matter by this Court.

9. The present writ petition is dismissed accordingly.

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

(Samit Gopal,J.)

March 20, 2026

Naresh