

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Criminal Appeal No. _____ of 2025
(Arising out of SLP(Criminal) No. 1454 of 2016)

RAJESH **... APPELLANT(S)**

VERSUS

**THE STATE OF UTTAR
PRADESH, HOME DEPARTMENT
OFFICER IN CHARGE &
ANR ETC.** **... RESPONDENT(S)**

With

Criminal Appeal No.....of 2025
(@SLP (Criminal) No. 6418 OF 2016)

ORDER

Leave granted.

2. These appeals question the correctness of the final judgment and order dated 6th January 2016, passed by the High Court of Judicature at Allahabad in Application u/s 482 No. 58 of 2016, whereby the High Court refused to entertain a prayer for quashing of the complaint case no. 21 of 2013 (S.T. No 55

of 2015) u/s 392 Indian Penal Code, 1860 registered at Police Station Gunnor.

Criminal Appeal arising out of SLP Criminal 1454 of 2016

3. The primary ground on which the Ld. Single Judge rejected the quashing petition, was a question of jurisdiction.

The case put forward by the appellant herein was as follows:

“13. That it is also relevant to mention here that admittedly in the second line of the compliant, O.P. no.2 has admitted that he is residing in District Sambhal and according to Uttar Pradesh Dacoit affected areas act 1983 district Sambhal is not under the jurisdiction of Special Judge is dacoit affected area, hence he has no territorial right to taken the cognizance on the incident which is admittedly taken place in District Sambhal”

The consideration made by the Ld. Single Judge was as follows.

“Upon hearing learned counsel for the parties and going through the entire record, I do not find any ground to invoke the jurisdiction under Section 482 Cr.P.C. to set aside the proceedings of the complaint case as all the cases pertaining to the Police Station Gunnor are within the jurisdiction of district Badaun Judgeship. No any notification has been issued by the State Government excluding the jurisdiction of Gunnor Police Station. Hence, the prayer made in the present application is refused...”

4. Aggrieved by such a refusal, the appellants are before us. Insofar as the appellant in Criminal Appeal @ SLP Criminal 1454 of 2016 is concerned, we find that on the date of the incident, the said appellant was writing an examination for B.Tech in Biotechnology, as is evidenced by the result appended at Page 16 of the record. The exam, scheduled from 9:30 to 11:30 AM, entirely excludes the possibility of his presence at the scene of the incident in village Mandholi. On that count alone, the case against the appellant Rajesh deserves to be quashed. Ordered Accordingly.

Criminal Appeal arising out of SLP Criminal 6418 of 2016

5. In these appeals, Dalchandra and Rajnesh co-accused with the appellant Rajesh in the connected appeal, are before us. The record reveals that the genesis of the dispute is that, in constructing his house, the complainant had allegedly taken as his own, some part of the accused person's land. Proceedings in relation thereto are pending before the court of competent jurisdiction. The alleged altercation between the parties had stemmed from the original property dispute and had no foundation of its own.

6. That apart, the complaint case subject matter of these proceedings is from the year 2013 and today, we are in 2026, i.e., 13 years have passed since the incident in question. Much water has flown since then. In view of the efflux of time and the circumstances prevailing, we are of the considered opinion that no fruitful purpose would be served in continuing with the present proceedings. Accordingly, the same are hereby quashed. Appeals are allowed.

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

.....J.
(SANJAY KAROL)

..... J.
(NONGMEIKAPAM KOTISWAR SINGH)

**New Delhi;
12th December, 2025**