



2026:AHC-LKO:36383

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 – 3262 of 2017

Azim Premji

.....Applicant(s)

Versus

State of U.P. Thru.
Secy. Home Civil Sectt.
Lucknow and Another

.....Opposite Party(s)

Counsel for Applicant(s)	: Karunanidhi Yadav
Counsel for Opposite Party(s)	: Govt. Advocate

Court No. - 31

Reserved On: 06.05.2026

Delivered On: 20.5.2026

HON'BLE ZAFEER AHAMD, J.

1. Heard Karunanidhi Yadav assisted by Sri Prateek Pal Singh, learned counsel for the applicant and Sri Sanjay Kumar Yadav, learned A.G.A. for opposite parties and pursued the record.
2. The present application under Section 482 Cr.P.C has been filed by the applicant seeking quashing of the complaint proceedings pending before the learned Chief Judicial Magistrate, Lucknow in Complaint Case No. 2882 of 2016 (*State v. Azim Premji and Another*), along with the summoning order dated 08.02.2017 and consequential proceedings initiated against him.
3. Learned counsel for the applicant submits that the applicant is currently serving as Chairman and Managing Director of Wipro and has no concern with the

day-to-day functioning of the Wipro office situated at Lucknow. He further submits that the security services at the said establishment had been outsourced to G4S Secure Solutions India Private Limited through an agreement dated 18.03.2015, under which the service provider is an independent contractor and solely responsible for payment of wages, statutory dues, provident fund, ESI, and compliance with labour laws in respect of its employees.

4. Learned counsel for the applicant further submits applicant neither exercises any administrative or managerial control over G4S nor has any role in supervising its employees. The applicant is residing at Bengaluru and is not involved in the daily operations of the Lucknow office. He further submits that no notice regarding the alleged violation was ever served upon the applicant or at any Wipro establishment and that the applicant came to know about the proceedings only after issuance of bailable warrants. He further submits that the present complaint did not disclose any specific allegation or material showing active involvement, criminal intent, or statutory vicarious liability of the applicant.

5. Learned counsel for the applicant has further apprised this Court that on identical facts and circumstances, a coordinate Bench of this Court in Application U/S 482 No. 3261 of 2017 via order dated 29.05.2024 has quashed the complaint proceedings. It has been submitted that the present case stands on the same footing and, therefore, in the present also the applicant should be entitled to the same relief.

6. Per contra, learned A.G.A. opposed the prayer for quashing and submitted that the complaint discloses commission of offence and the summoning order has rightly been passed by the court below.

7. From perusal of the complaint as well as material brought on record, it transpires that the applicant is sought to be prosecuted merely on account of his designation as Chairman and Managing Director of Wipro. No specific allegation has been levelled in the complaint indicating his direct involvement in the alleged violation or his active role in the day-to-day functioning of the establishment

situated at Lucknow. The material placed before this Court further indicates that the security services at the concerned establishment had been outsourced to G4S Secure Solutions India Private Limited under an agreement dated 18.03.2015, whereby the said agency was independently responsible for compliance of labour laws and statutory obligations relating to its employees.

8. It is well settled that criminal liability cannot be fastened in a mechanical manner merely on the basis of designation unless the statute specifically provides for vicarious liability or there exist specific allegations demonstrating active role and responsibility of the accused in commission of the alleged offence.

9. This Court further finds that the summoning order dated 08.02.2017 passed by the learned Chief Judicial Magistrate, Lucknow is wholly cryptic and non-speaking in nature. The order has been passed in a proforma manner without any discussion of material available on record, satisfaction regarding ingredients of the alleged offence or the role attributable to the present applicant. Even the relevant statutory provisions under which cognizance has been taken have not been properly discussed in the impugned order.

10. It is trite law that summoning of an accused in a criminal case is a serious matter and the Magistrate is required to apply judicial mind to the facts of the case and material available on record before issuing process. The summoning order must reflect application of mind and satisfaction of the Court regarding existence of sufficient grounds to proceed against the accused.

11. In the present case, the impugned summoning order does not disclose any such satisfaction and appears to have been passed mechanically. This Court also finds substance in the submission of learned counsel for the applicant that on similar set of facts, a coordinate Bench of this Court in Application U/s 482 No. 3261 of 2017 has already decided the matter.

12. In view of the aforesaid facts and circumstances, this Court is of the considered opinion that continuance of the impugned proceedings against the present applicant would amount to abuse of process of Court.

13. Accordingly, the present application under Section 482 Cr.P.C. is **allowed**.

14. The summoning order dated 08.02.2017 passed by the learned Chief Judicial Magistrate, Lucknow in Complaint Case No. 2882 of 2016 (State v. Azim Premji and Another), along with consequential proceedings arising therefrom, so far as it relates to the present applicant, are hereby **quashed**.

15. Let a certified copy of this judgment be transmitted to the court concerned forthwith.

(Zafeer Ahmad, J.)

May 20, 2026
kanhaiya