



2025:AHC:195663

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 9649 of 2024

Rameshwar Singh @ Rameshwar Pratap
Singh And 18 Others

.....Appellant(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Appellant(s)	:	Anshu Pandey, Sachin Mishra
Counsel for Respondent(s)	:	Dinesh Chandra Tripathi, G.A.

Court No. - 86

HON'BLE SHEKHAR KUMAR YADAV, J.

1. Heard learned counsel for the appellants, learned counsel for the opposite party no.2 and learned A.G.A. for the State as well as perused the record.

2. This Criminal Appeal, filed under Section 14-A(1) of the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989* (hereinafter referred to as the “SC/ST Act”), seeks to quash the cognizance/summoning order dated **01.07.2024** passed by the learned Special Judge (SC/ST Act), Prayagraj, in *Special Sessions Trial No. 174 of 2024*, arising out of *Case Crime No. 0116 of 2021*, under Sections 147, 148, 149, 323, 504, 506, 452, 354(kha) IPC and Section 3(2)(va) of the SC/ST Act.

2. During the course of hearing on 04.11.2025, learned counsel for the appellants submitted that the FIR in the present case was lodged by the victim/opposite party no.2 on her thumb impression. This assertion was categorically denied by learned counsel for the opposite party no.2, who contended that no such FIR had ever been lodged by the victim.

3. Considering the seriousness of the matter, particularly since the alleged victim is a woman belonging to the Scheduled Caste community and apprehending that she might have been subjected to undue influence or coercion by the appellants, the Court directed the *Deputy Commissioner of Police (Yamunapar)*, the *Investigating Officer*, and the *victim/opposite*

party no. 2 to appear in person before this Court on 06.11.2025.

4. In compliance with the aforesaid order, the DCP, Yamunapar; the Investigating Officer; and the victim/opposite party no. 2, *Smt. Ram Kali*, are present before this Court.

5. On a specific query by the Court, *Smt. Ram Kali* categorically admitted that her thumb impression in chik had been taken on blank paper.

6. Contrary to this, Mr. Patanjali Mishra, learned G.A. submitted that the FIR was in fact lodged on 16.04.2021 on the basis of a written complaint submitted by *Smt. Ram Kali* herself. During investigation, the statements of the complainant, *Smt. Ram Kali*, and her two daughters-in-law, *Smt. Kavita* and *Smt. Savita*, were recorded under Section 161 Cr.P.C. All three were medically examined, and their statements were further recorded under Section 164 Cr.P.C. before the Magistrate, wherein they unequivocally supported the prosecution version.

7. It is further informed that all three victims have received compensation of **Rs. 1,50,000/- each**, aggregating to **Rs. 4,50,000/-**, from the State Government under the provisions of the SC/ST Act.

8. The Court finds it deeply disturbing that the *complainant* now denies having filed the FIR, despite having made statements under Section 164 Cr.P.C. affirming the allegations and having availed of substantial monetary compensation under the statutory scheme meant for genuine victims of atrocities.

9. Such conduct *prima facie* reflects a **serious abuse of the process of law** and a **gross misuse of the benevolent provisions of the SC/ST Act**. The sequence of events suggests a deliberate attempt to manipulate the criminal justice process after wrongfully obtaining public funds, thereby committing a **fraud upon the State**.

10. In view of the above and having regard to the gravity of the circumstances, this Court takes a **serious view** of the matter. Without expressing any opinion on the merits of the pending trial, the present Criminal Appeal is **dismissed**.

11. The victim/opposite party no. 2, *Smt. Ram Kali*, and her daughters-in-law, *Smt. Kavita* and *Smt. Savita*, are jointly and

severally directed to **refund the entire amount of Rs. 4,50,000/- (Rupees Four Lakh Fifty Thousand only)** to the competent authority of the State Government forthwith. To deter recurrence of such manipulative conduct, a **cost of Rs. 5,00,000/- (Rupees Five Lakh only)** is imposed upon the appellants. The said amount shall be deposited with the **High Court Welfare Fund** within **twenty days** from today. In case of default, the **Registrar General** of this Court shall initiate appropriate coercive steps for recovery of the said amount from the appellants in accordance with law.

12. The proceedings in *Special Sessions Trial No. 174 of 2024* shall continue, and the learned Special Judge (SC/ST Act), Prayagraj, is directed to proceed with the trial **strictly in accordance with law, uninfluenced** by the contradictory stand taken by the victim before this Court or by the observations made herein.

13. The personal attendance of the *DCP, Yamunapar*; the *Investigating Officer*; and the victim, *Smt. Ram Kali*, who are present before this Court today, is **dispensed with**.

November 6, 2025

Krishna*

(Shekhar Kumar Yadav,J.)