

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 391/2024

IN THE MATTER OF

News item titled "Blast at firecracker factory in UP's Kaushambi kills seven" appearing in The Hindu dated 26.02.2024

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Sr. No.	Particulars	Pg No.
1.	Certified Copy of Order dated 22.07.2025 passed by the Hon'ble Allahabad High Court in Application U/S 528 BNSS No. - 13347 of 2025.	



Atika Singh

Counsel for Respondent No.4

Delhi High Court

Lawyers Block-I, Chamber No. 407

New Delhi 110003

Place: New Delhi

Date: 24.01.2025

RAVINDRA SHARMA Adv.

Ch.No - 16

High court Allh.

Moh.No - 9452349663

Application - U/S - 528 B.N.SS (VA 528) - 13347/2025

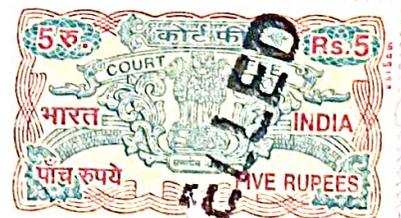
Distt - Kazhambhi

Shafiq Ali

vs

State of U.P. and others

order date - 22/07/2025





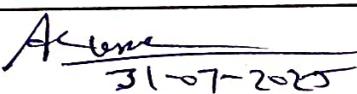
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Requisition Information						Date of Judgment/Order		
Folio No.	Application Date	Case Type	Case No.	Year	Case filed at	Date of Judgment/Order	Court Fee	No. of Pages
176975 of 2025	30.7.2025	NA528	13347	2025	Allahabad	22.7.2025	15.0	2

Printed/Prepared by	Authenticated by	Date of Issuance
Signature :-  Name :- Ajay Singh Designation :- Assistant Review Officer Employee No. :- E11287 Date of Printing:- 30.7.2025	Signature :-  Name :- A. K. Srivastava Designation :- Section Officer (AR) Employee No. :- Authenticated Copy ready on:- 7173	

Court No. - 77

Case :- APPLICATION U/S 528 BNSS No. - 13347 of 2025

Applicant :- Sharafat Ali

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ravindra Sharma

Counsel for Opposite Party :- G.A.

Hon'ble Saurabh Srivastava, J.

1. Heard Shri P.K. Singh, learned counsel for the applicant and the learned AGA.

2. The present application has been preferred for seeking quashing of entire proceeding of Criminal Case No.767 of 2025 (State vs. Sharafat Ali) arising out of Case Crime No.29 of 2024 as well as summoning order dated 24.2.2025 and charge sheet dated 4.10.2024, under Sections 286, 336, 338, 304 IPC and 9B of Explosive Act, Police Station Kokhraj District Kaushambi pending in the court of Chief Judicial Magistrate, Kaushambi.

3. It is submitted by the learned counsel for the applicant that neither applicant was named in the First Information Report nor any role assigned to him whereas it was an unnatural incident, but at the time of preferring charge sheet, name of the applicant has been implicated by the concerned Investigating Officer only being father of the licensee. Learned counsel for the applicant further submitted that son of applicant was owner of the said factory wherein mis-happending was occurred in which two sons of applicant have expired.

4. It is further submitted by learned counsel for the applicant that the family members of the deceased as well as injured have already been compensated by the State Government and the applicant also suffered irreparable loss in shape of demise of his two sons.

5. On earlier occasion, specific instructions were called through learned AGA through which it has

HIGH COURT OF JUDICATURE AT ALLAHABAD

been submitted by learned AGA that implication of the applicant is based upon the statement made by family members of the deceased and injured, but at the same time no credible evidence has been brought to the notice of the court in respect of involvement of the applicant in any manner whatsoever, since son of the applicant was having the license of factory of fireworks who had already died in the mishappening occurred in the factory.

6. Considering the age of the applicant who is aged about 72 years, as well as the mishappening which has been occurred at the establishment, two sons of the applicant had already expired in the same incident, there is hardly any justification and the grounds available for initiating trial against the applicant by way of dragging him into un-warranted criminal litigation.

7. In view of aforementioned facts and circumstances, the entire proceeding of Criminal Case No.767 of 2025 (State vs. Sharafat Ali) arising out of Case Crime No.29 of 2024 as well as summoning order dated 24.2.2025 and charge sheet dated 4.10.2024, under Sections 286, 336, 338, 304 IPC and 9B of Explosive Act, Police Station Kokhraj District Kaushambi pending in the court of Chief Judicial Magistrate, Kaushambi are hereby set aside.

8. The instant application stands **allowed** accordingly.

Order Date :- 22.7.2025
Rakesh

AUTHENTICATED COPY

Akshay
31-07-2025
SECTION OFFICER (A.P.)
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HIGH COURT, ALLAHABAD