Reserved on 31.10.2025
Delivered on 13.11.2025

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 450 of 2025

Sangeeta Gupta .....Petitioners(s)

Versus

State of U.P. and 4 others .....Respondents(s)

Counsel for Petitioners(s)	:	Ashraf Ali, Amit Pratap Singh, Sangeeta Gupta
Counsel for Respondent(s)	:	C.S.C., Nipun Singh, Parijat Srivastava

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Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

(Per: Kshitij Shailendra, J)

In Re: Criminal Misc. Application No. Nil of 2025 under Section 379 of BNSS

1. This application has been filed by respondent no. 5 with a prayer to prosecute the petitioner (Sangeeta Gupta) under Section 379 of BNSS for filing false affidavit before this Court in the present petition. The application is supported by affidavit of son of the Manager of the respondent-Institution, namely, Fateh Memorial Inter College Tamkuhi, District Kushinagar, stating that the petitioner, while filing an application for withdrawal of the present petition, forged signatures of Shri Parijat Srivastava, Advocate as a counsel for respondent no. 5, fraudulently showing the receipt of copy of the withdrawal application by him. It is further stated that Shri Ashraf Ali, counsel for the petitioner, is a

fictitious identity created by Shri Amit Pratap Singh (‘A.P. Singh’), Advocate and even the ID of the said advocate is used for filing fraudulent cases.

2. Serious allegations have been levelled in the affidavit against the petitioner-Sangeeta Gupta, A.P. Singh as well as Ashraf Ali Advocates that all the three persons, in collusion with each other, keep on filing frivolous petitions; that both A.P. Singh and Ashraf Ali depict their same residential address as well as phone number; that Ashraf Ali is a fictional identity created for nefarious designs of A.P. Singh; that the latter and respondent no. 5 are contesting a civil dispute covered by Original Suit No. 25 of 2021 pending before the Civil Judge (Junior Division), Kasia, Kushinagar; that this Court declined to entertain Writ-C No. 10797 of 2023 (Parasuram Singh Vs. State of U.P. and 3 others) on account of pending civil proceedings between the parties and reference to certain orders passed in civil suit as well as in other matters, including a petition under Article 227 of the Constitution, has also been made. It is further stated that A.P. Singh has a history of various criminal cases and he is in hands in gloves with unscrupulous elements causing all nuisance in the managerial activities *qua* the Institution.

3. It is further stated in the affidavit that Ashraf Ali, counsel for the petitioner, avoided appearance in the proceedings of present petition and despite various orders passed by this Court, the petitioner also failed to appear and only A.P. Singh appeared through video conferencing mode claiming himself to be Ashraf Ali. Screenshots of various status reports qua several cases filed by A.P. Singh have been annexed wherein he is represented either by Ashraf Ali, Advocate or by Sangeeta Gupta (the present petitioner). Further, a list of various petitions filed in purported public interest, either by Sangeeta Gupta or by Ashraf Ali or by A.P. Singh has also been annexed as Annexure No. 2 to the affidavit.

4. An objection has been filed by the petitioner against the application stating therein that the petitioner herself had provided copy of the withdrawal application to Mr. Parijat Srivastava, counsel for respondent no. 5 and he had himself received the same; that the

respondent no. 5 is producing himself as king, while in democracy, all the kingships have been abolished at the time of freedom/independence and that the present PIL has been filed challenging election of the Committee of Management held in the year 2023.

5. Rejoinder affidavit has been filed on behalf of respondent no. 5 stating that the petitioner and A.P. Singh have filed various cases in the name of petitioner's mother, namely, Chinta Devi, wherein Ashraf Ali, Sangeeta Gupta and A.P. Singh are Advocates; A.P. Singh uses the mobile number of Ashraf Ali, i.e. 9793149321, registered with the Advocate on Roll of Ashraf Ali and the profile picture affixed on the mobile number is also of A.P. Singh only. It is further stated that in pursuance of the order dated 31.07.2025 passed in the present petition, copy of the present application was received under the signature of Ashraf Ali, which signatures are distinct from the signatures put on the order sheet of the present PIL by the person alleging himself to be Ashraf Ali.

6. As regards Mr. Parijat Srivastava, it is stated in the rejoinder affidavit that he had never even met Ms. Sangeeta Gupta (the petitioner) either before filing of PIL or thereafter and, therefore, there was no occasion for him to receive copy of withdrawal application and that signatures of Parijat Srivastava, Advocate have been forged and fabricated. Reference to the signatures made by him on Vakalatnama in these proceedings has been made in this regard.

7. A copy of the Delivery Run Sheet issued by Trackon Couriers Pvt. Ltd. has also been annexed as Annexure No. RA-3 to the rejoinder affidavit with a stand that signatures of Ashraf Ali put on 12.08.2025 as a person receiving the copy of the application through courier are distinct from the signatures on record of these proceedings. A list of dozens of writ petitions has been annexed as Annexure No. RA-1 to the rejoinder affidavit in many of which cases, either the petitioner is represented by A.P. Singh and/or Ashraf Ali, Advocates or Ashraf Ali is represented by A.P. Singh or A.P. Singh is represented by Ashraf Ali or by Sangeeta Gupta, Advocate (the petitioner).

8. Learned counsel for the applicant-respondent no. 5 has made submissions in consonance with the stand taken in the affidavit supporting application as well as the rejoinder affidavit and it is vehemently argued that the petitioner, who herself is an Advocate, alongwith A.P. Singh and Ashraf Ali, Advocates are committing gross abuse of the process of Court by launching and defending proceedings by fabrication and not only impersonated appearances are being made before this Court, either by physical mode or through video conferencing, but also signatures on the documents produced before this Court as well as those made on the order sheet of the present case are forged, fabricated and result of impersonation and, therefore, the petitioner be prosecuted.

9. The petitioner, who appeared in person, and A.P. Singh and Ashraf Ali, Advocates, who also appeared before this Court, have made submissions that since an application for withdrawal has been filed by the petitioner, the petition be dismissed as withdrawn and the allegations of fake identity of Ashraf Ali are not correct, inasmuch as both A.P. Singh and Ashraf Ali are present before the Court with proof of their identity. As regards same mobile number or same residential address of A.P. Singh and Ashraf Ali, submission has been made that both reside in the same house and there is a relationship of landlord-tenant between the two.

10. We have heard Shri Nipun Singh, learned counsel for the applicant-respondent no. 5, Ms. Sangeeta Singh (the petitioner in person) and also Shri A.P. Singh and Shri Ashraf Ali, Advocates and have perused the material available on record.

11. Since we are not deciding the petition at this stage, it is not necessary to enter into the factual controversy involved in the matter, however, in order to proceed to decide the application under Section 379 of BNSS, certain facts and proceedings need elaboration.

12. On various dates fixed in this petition, allegations were levelled on behalf of respondent no. 5 regarding abuse of the process of law being

committed either by the petitioner or by A.P. Singh and/or Ashraf Ali, Advocates, as noted above. Certain orders passed by this Court taking note of the submissions made, need reproduction as under:-

> "1. The matter taken up in revised call.
>
> 2. Learned counsel for the petitioner is not present.
>
> 3. Sri Nipun Singh, learned counsel appears on behalf of respondent no. 5. **He submits that the instant petition is wholly motivated and abuse of process of law. He further submits that petitioner is filing a number of petitions before this Court and thereafter withdrawing the same. A number of such orders have been placed before us.**
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> 4. As counsel for the petitioner is not present, adjourned to 20.03.2025 as a fresh case.
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> 5. Sri Nipun Singh, learned counsel for the respondent, undertakes to communicate the instant order to counsel for the petitioner in writing.
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> **Order Date :- 19.3.2025**
>
> (emphasis by us)
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> ……..
>
> 1. **Sri Ashraf Ali, Advocate has joined through VC-link. He states that right now he is in Delhi and would argue the case on Monday. On that date, he will be in Prayagraj.**
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> 2. Accordingly, adjourned to 24.03.2025 as a fresh case.
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> **Order Date :- 20.3.2025**
>
> (emphasis by us)
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> ……..
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> 1. Issue notice of the application filed by the respondent No. 5 to Sangeeta Gupta.
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> 2. **On 19.03.2025, 20.03.2025 & 24.03.2025, orders were passed by the Court pertaining to the appearance of the counsel for the petitioner, however, none was present and now an application has been filed seeking withdrawal of the writ petition.**
>
> 3**. Looking to the nature of the allegations made in the application filed under Section 340 Cr.P.C., a notice be issued to the counsel for the petitioner also to remain present in person before this Court on the next date by the Registry.**
>
> 4. Qua the application under Section 340 Cr.P.C., requisite notices would be filed by respondent no. 5.
>
> 5. List the petition on 20.08.2025 as fresh.
>
> 6. Copy of the order may also be served on the petitioner and counsel for the petitioner.

Order Date :- 31.7.2025

(emphasis by us)

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1. **Ms. Sangeeta Gupta (present in person) has been identified by her Advocate, Mr. Ashraf Ali.**

2. **Shri Nipun Singh, learned counsel appearing on behalf of respondent no.5 states that on the previous date, some other person appeared and he stated that he is Ashraf Ali and, now, a different person is appearing, claiming himself to be Ashraf Ali.**

3. The petitioner, who appears in person, is granted one week's time to file reply on oath in response to application under Section 340 Cr.P.C. and also in relation to the stand taken by respondent no.5 and as recorded in the previous orders of this court.

4. **The counsel, who is appearing alongwith the petitioner and claiming himself to be Ashraf Ali, is required to put his signatures before the Bench Secretary on the order-sheet.**

5. List as fresh on 27.08.2025.

6. **As stated by the petitioner herself, she will remain present in person on the next date alongwith Mr. Ashraf Ali, Advocate.**

Order Date :- 20.8.2025

(emphasis by us)

……..

1. On application filed by respondent No. 5 under Section 340, Cr.P.C., an objection/reply has been filed by the petitioner. **Qua the counsel for the petitioner, Mr. Ashraf Ali, it is stated that he is not available today.**

2. Counsel for respondent No. 5 prays for time to file rejoinder affidavit to the said reply.

3. Time prayed for is allowed.

4. List the petition on 16.09.2025, as fresh.

5. **On that date, the petitioner as well as counsel for the petitioner, Mr. Ashraf Ali, will remain present before the Court.**

August 27, 2025

(emphasis by us)

13. On 20.08.2025, this Court required the person appearing before it and claiming himself to be Ashraf Ali, to put his signatures on the order sheet before the Bench Secretary and direction was issued that on the next date, the petitioner shall remain present along with Mr. Ashraf Ali,

Advocate. Signatures of **'Ashraf Ali'** or claiming to be Ashraf Ali were made in the margin of order sheet on 20.08.2025 as counsel for the petitioner. The said signatures are apparently different from the signatures put as **‘A. Ali’** on the writ petition as well as withdrawal application. Even on Annexure No. RA-3 attached to the rejoinder affidavit, different signatures of Ashraf Ali signed as **‘Ashraf’** appear.

14. On 22.09.2025, a direction was issued by this Court to Registrar (Civil-A) to indicate the subject matter of all the cases indicated in Annexure-2 to the Application under Section 340 CrPC (Section 379 of BNSS), as having been filed by Sangeeta Gupta, Ashraf Ali and A.P. Singh, all PILs, majority of which have been withdrawn as also to produce copies of the orders passed in the said matters along with the subject matter.

15. In pursuance of the above directions, Registrar (Civil-A1) of this Court has submitted a detailed report, however, at this stage of proceedings, it is not necessary to enter into those details, nevertheless it is suffice to mention that 23 petitions have been filed in the nature of Public Interest Litigation, either by Sangeeta Gupta wherein Ashraf Ali and/or A.P. Singh is counsel for Sangeeta Gupta or by Ashraf Ali showing A.P. Singh as counsel for Ashraf Ali and some petitions have been filed by A.P. Singh in person.

16. While the decision on merits of the present petition as well as on the aspect of commission of abuse of the process of law is being deferred at this stage, we are, by focusing only on the merits of the application under Section 379 of BNSS, *prima facie*, satisfied that the signatures of Ashraf Ali as counsel for the petitioner (Sangeeta Gupta) are differently put on different documents in these proceedings and considering the allegations of impersonation, forgery, fabrication and identity of the persons involved or appearing in these proceedings, we deem it appropriate to direct examination of signatures of Ashraf Ali by referring the matter to **Forensic Science Laboratory, Lucknow (‘FSL’)** and further orders shall be passed after receiving report from the said FSL.

17. Accordingly, **following directions** are issued:-

(i) Learned counsel for respondent no. 5 shall provide original of Annexure No. RA-3 to the rejoinder affidavit dated 16.09.2025 to the Registrar General of this Court, within a period of **one week** from today.

(ii) On receipt of the original of Annexure No. RA-3, the Registrar General shall send **following documents, in original**, to the FSL, Lucknow within **next one week,** after retaining their photostat copies on record:-

(a) Original writ petition;

(b) Original Civil Misc. Withdrawal Application No. 03 of 2025; and

(c) Original page of the order sheet indicating office report dated 19.08.2025 on which alleged signatures of Ashraf Ali have been put on 20.08.2025.

(d) Original Vakalatnama dated 18.03.2025 signed by Shri Parijat Srivastava, Advocate for respondent no. 5.

(iii) The Registrar General shall require the FSL to scientifically compare and verify the signatures of 'Ashraf Ali'/'A. Ali' put on the petition, withdrawal application, part of the order sheet containing office report dated 19.08.2025, in the margin whereof such signatures have been made on 20.08.2025 and on Annexure No. RA-3, i.e. original of Delivery Run Sheet issued by Trackon Couriers Pvt. Ltd.

(iv) Registrar General shall require the FSL to send a clear report within a period of one month from the date the FSL receives the documents, indicating as to whether signatures on all the above documents have been made by one and the same person or not and as to whether signatures of

Shri Parijat Srivastava, as endorsed in the margin of page no. 1 of the withdrawal application and those made on Vakalatanma dated 18.03.2025, have been made by one and the same person.

18. The report shall be submitted by FSL in a sealed cover and the same shall be placed on record of this petition before the date fixed.

19. List the petition on **06.01.2026**, as fresh.

(Kshitij Shailendra,J.) **(Arun Bhansali,CJ.)**

November 13, 2025
AKShukla/-