2026:AHC:186930

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 14522 of 2026

Netralpal Singh And 3 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ajeet Kumar Chaurasiya, Namit Kumar Sharma
Counsel for Opposite Party(s)	:	Ankit Agarval, G.A.

Court No. - 80

HON'BLE NAND PRABHA SHUKLA, J.

1. Heard Mr. Namit Kumar Sharma, learned counsel for the applicants, Mr. P. C. Srivastava, learned Senior Advocate assisted by Mr. Ankit Agarval, learned counsel for the opposite party No. 2, learned A.G.A. for the State and perused the record.

2. The present application under Section 528 BNSS has been filed with a prayer to quash the entire proceeding of Criminal Case No. 993/2026 (State v. Ashish & Others) along with chargesheet dated 10.12.2025 arising out of Case Crime No. 286/2025 Police Station Sadar Bazar, District Mathura as well as to quash the cognizance/summoning order dated 02.02.2026 passed by Additional Chief Judicial Magistrate, Court No. 1, Mathura in Criminal Case No. 1993/2026 (State vs. Ashish & Others) U/s 318(4), 338, 336(3), 340(2), 61(2) BNS against the Applicants, Police Station Sadar Bazar, District Mathura.

3. From the perusal of the material on record and looking into the facts of the case, at this stage, it cannot be said that no offence is made out against the applicants. All the submissions made at the bar relate to the disputed questions of fact, which cannot be adjudicated upon by this Court. Only in cases where the Court finds that there has been failure of justice or abuse of procedure, this power may be exercised to prevent the abuse of process to secure the ends of justice.

4. Accordingly, prayer for quashing is declined.

5. In case, the applicants are not on bail, it is directed that if the applicants appear or surrender through counsel before the Trial Court and makes an application for bail within 45 days from the date of the order, the same shall be considered and disposed of expeditiously, after giving opportunity to the other side.

6. Further, it is provided that in case the applicants move an application for discharge at an appropriate stage through counsel, the same shall be disposed of by the Trial Court by a reasoned and speaking order in accordance with law within six weeks thereafter.

7. For a period of 45 days or till the disposal of the discharge application, whichever is earlier, no coercive measures shall be taken against the applicants in the aforesaid case.

8. With the aforesaid direction, this application is ***disposed of.***

(Nand Prabha Shukla,J.)

September 8, 2026
Aditya Tripathi

Digitally signed by :-
ADITYA TRIPATHI
High Court of Judicature at Allahabad