2026:AHC:188487

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 35859 of 2026

Raj Kumar Alias Raj Kumar Chaudhary

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Prem Sagar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 79

HON'BLE SAURABH SRIVASTAVA, J.

1. On the request of learned counsel for applicant, this matter is being taken up out of turn considering the urgency.

2. Heard learned counsel for applicant and learned A.G.A. for State.

3. The present application under Section 528 BNSS has been filed for quashing impugned charge-sheet dated 08.08.2007, cognizance/summoning order dated 11.06.2008 and non-bailable warrant dated 26.04.2023 as well as entire proceedings of Criminal Case No.5835 of 2007 (State vs. Raj Kumar) arising out of Case Crime No.536 of 2007, under sections 504, 506 IPC, P.S. Khatauli, District- Muzaffar Nagar, pending in the court of learned Additional Chief Judicial Magistrate, Court No.2, Muzaffar Nagar.

4. On perusal of entire record appended along with instant application, this Court does not find it to be a case where interference of this Court is required. No such ground appears to be available in the present application, on the basis of which, impugned charge-sheet, cognizance/summoning, non-bailable warrant and entire criminal proceedings of the said case, can be set aside.

5. Accordingly, the prayer sought through the instant application, is refused.

6. Lastly, learned counsel for applicant submitted that liberty may be granted to applicant to surrender before the court concerned in pursuance to non-bailable warrant dated 26.04.2023 issued against him to which learned AGA has no objection.

7. In view of the aforesaid, the instant application is finally **disposed of** with a direction to the applicant to appear before learned court concerned in pursuance to non-bailable warrant order dated 26.04.2023 within **three weeks** from today. Till **three weeks** from today, no coercive action shall be initiated against the applicant. After the expiry of aforesaid period of **three weeks**, learned concerned court is directed to proceed as per law.

September 8, 2026
Saif

(Saurabh Srivastava,J.)

Digitally signed by :-
SHAIKH SAIF ABDIN
High Court of Judicature at Allahabad