2026:AHC:209032

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 1205 of 2025

Ranjeet Singh Chauhan

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Abhinav Shukla, Ram Shiromani Shukla
Counsel for Respondent(s)	:	Devashish Mitra, G.A.

Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. The present petition is filed by the petitioner seeking for following relief:-

"Set-aside the impugned Summoning order dated 20.05.2024 passed by Special Judge (N.I. Act) Bareilly in in Case No. 751 of 2022 (Itendra Rathore versus Ranjeet Singh Chauhan), Police Station Kotwali, District Bareilly whereby the petitioner was summoned to face trial U/s 138 of N.I. Act as well as impugned Revisional order dated 12.12.2024 passed by Additional Sessions Judge/Special Judge (E.C. Act) Court No. 4, Bareilly in Criminal Revision No. 284 of 2024 (Ranjeet Singh Chauhan Versus State of U.P. and another) whereby the revision of the petitioner was being dismissed by the court concerned in the mechanical manner."

2. It is submitted by learned counsel for the petitioner that in the present case demand notice has been issued by an Advocate instead of holder in due course and in this respect, learned counsel for the petitioner has placed reliance upon a judgment of this Court dated 28.1.2026 passed in **Criminal Revision No.2776 of 2013, Rajesh Kukreja Vs. State of U.P. and another** and a judgment of **Kerala High Court dated 16.6.2025 passed in Criminal Appeal No.968 of 2007, K. Ramachandran Vs. Gopi and another.**

3. Learned counsel for respondent no.2 has raised a preliminary objection and submit that the trial in the present case is at the advance stage and statement under Section 313 Cr.P.C. has already been recorded. At this

advance stage, it would not be proper that such issue be raised.

4. Considering the issue raised by the petitioner in the present case which goes to the root of the jurisdiction of the court, it is hereby directed that the trial court shall consider the issue at the time of final hearing with regard to validity of the demand notice issued by the Advocate on behalf of the complainant as alleged to have been issued on behalf of the Company. The trial court shall also consider the aforesaid judgments. The applicant is directed to raise the aforesaid issue before the trial court and the trial court is expected to consider the same at the time of final hearing.

5. The present petition stands disposed of.

(Vikram D. Chauhan,J.)

October 6, 2026
Bhaskar

Digitally signed by :-
BHASKAR
High Court of Judicature at Allahabad