2026:AHC:209496

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 31741 of 2026

Ajay Kumar @ Rinku

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Awadhesh Kumar Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 81

HON'BLE PRASHANT MISHRA-I, J.

1. Heard Mr. Awadhesh Kumar Mishra, learned counsel for the applicant and learned A.G.A. representing the State.

2. Prayer of the applicant in the instant application is quoted herein below:

"*It is therefore most respectfully prayed that, this hon'ble court may kindly be pleased to allow the present Criminal Misc. Application Under Section 528 BNSS and Kindly set aside/quash the impugned order dated 12.02.2026, passed by Learned Additional District and Sessions Judge Court No-01 Ghaziabad In Criminal Appeal No.21/2024 (Ajay Kumar vs Sanjeev Tripathi) arising out of Criminal Complaint case No.1671/2023, (Sanjeev Tripathi vs Ajay Kumar), Under Sections-138 of N.I. Act, at Police Station-Kotwali, District-Ghaziabad, Pending Before Learned Additional District and Sessions Judge Court No-01 Ghaziabad.*

It is further prayed that this hon'ble court may kindly be pleased to pass an order or direction to the court below that he will accept the 20% amount of awarded money of conviction order dated 08.01.2024 in above noted Criminal Complaint Case decided against applicant within stipulated further time so justice may be done.

And or also kindly be pleased to pass any order or directions in favour of applicant to meet the ends of justice."

3. Learned counsel for the applicant only prays for sometime to arrange the money which was directed to be deposited by the applicant before the learned trial court concerned vide order of the learned appellate court

concerned dated 03.02.2024. He has taken the ground that he was under incarceration during certain period that is why he could not deposit 20% of the fine amount as ordered by the learned appellate court concerned in its order dated 03.02.2024 at the time of admission of appeal, against the judgement of conviction dated 08.01.2024.

4. Learned A.G.A. has no objection if time is granted to the accused-applicant to deposit the amount mentioned in the order dated 03.02.2024.

5. In view of the above, fifteen days time is granted to the accused-applicant to comply with the directions of the learned appellate court concerned vide its order dated 03.02.2024.

6. Till then, the impugned order dated 12.02.2026 passed against the applicant in the aforesaid case shall be kept in abeyance.

7. It is made clear that no further time shall be granted to the applicant if the money is not deposited within the time granted by this Court in this order.

8. With the aforesaid directions, the instant application stands **disposed of**.

(Prashant Mishra-I,J.)

October 7, 2026
Kashifa

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