2026:AHC:208792

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 28385 of 2026

Arvind Singh

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Anupam Laloriya, Sushil Chaturvedi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. The present application is filed by the applicant for quashing the N.B.W. order dated 12.02.2026 issued by Additional District Judge-16/Special Judge (Anti Corruption Court) Allahabad in Case No. 213 of 2016 (State Vs. Arvind Kumar Singh) arising out of Case Crime No. 213 of 2006, under Section 34/409, 420, 467, 468, 471, 120B I.P.C. and 13 (1) D, 13 (2) Prevention of Corruption Act, Police Station Manjhanpur, District Kaushambi.

2. This Court on 17.7.2026 has passed the following order:-

"1. It is submitted by learned counsel for petitioner that non bailable warrant has been issued against applicant on 12.2.2026. The trial court has recorded that since 2021 charge has not been framed. It is submitted by learned counsel for applicant that applicant is ready to appear before the trial court for framing of charge. It is further submitted that previously by order dated 7.11.2024 Hon'ble the Supreme Court has exempted the presence of applicant unless required by the trial court. The order dated 7.11.2024 is quoted hereinbelow:

"We are not inclined to interfere with the impugned judgment. However, all issues are left open to be raised before the appropriate forum.

Considering the long pendency of the case, we are inclined to dispense the presence of the appellants until and unless the same is required by the Trial Court.

The appeals are disposed of accordingly.

Pending application(s), if any, stand disposed of."

2. Considering the facts and circumstances of the case, as an interim measures, it is

provided that applicant - Arvind Singh shall appear before the trial court on the next date i.e. 24th July, 2026 and the trial court is directed to consider the framing of charge in accordance with law.

3. In the meantime, applicant - Arvind Singh shall not be arrested in Case No.213 of 2016 (State Vs. Arvind Kumar Singh) arising out of Case Crime No.213 of 2006, under Sections 34/409, 420, 467, 468, 471, 120B IPC and Section 13(1)D, 13(2) Prevention of Corruption Act, P.S. Manjhanpur, District Kaushambi, without leave of the Court.

4. List this case on 29th July, 2026 as fresh.

5. Applicant shall produce the proceeding of 24th July, 2026 of trial court before this Court on the next date.

6. Registrar (Compliance) of this Court is directed to send a copy of this order to the trial court for compliance."

3. It is submitted by learned counsel for the applicant that in compliance of the order dated 17.7.2026, the applicant has appeared before the court concerned and charge has been framed against the applicant by order dated 31.8.2026. He submits that Hon'ble Supreme Court by its order dated 7.11.2024 has already exempted the applicant and the applicant undertakes to appear before the trial court as and when required. The applicant is aged about 70 years.

4. In view of the facts and circumstances of the case and the undertaking given by the applicant the N.B.W. order dated 12.02.2026 issued by Additional District Judge-16/Special Judge (Anti Corruption Court) Allahabad in Case No. 213 of 2016 (State Vs. Arvind Kumar Singh) arising out of Case Crime No. 213 of 2006, under Section 34/409, 420, 467, 468, 471, 120B I.P.C. and 13 (1) D, 13 (2) Prevention of Corruption Act, Police Station Manjhanpur, District Kaushambi is hereby quashed. The applicant being in advance age is permitted to appear before the trial court through counsel. However, whenever the court requires the presence of the applicant, the trial court direct the presence of the applicant in writing and the applicant shall ensure his presence before the trial court.

5. The present application is allowed.

October 6, 2026
Bhaskar

(Vikram D. Chauhan,J.)

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