2026:AHC:208727

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 32882 of 2026

Haridarshan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Aditya Prasad Mishra, Ashutosh Tripathi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 81

HON'BLE PRASHANT MISHRA-I, J.

1. Heard Sri Aditya Prasad Mishra, learned counsel for the applicant and learned A.G.A. for the State.

2. The instant application has been preferred on behalf of the applicant with the following prayer:-

"It is therefore most respectfully prayed that this Hon'ble Court may graciously be pleased to allow this application, quash the impugned order dated 19.06.2006 passed by the Ld. I/c Sessions Judge, Meerut in Criminal Appeal No. 111 of 2026, Haridarshan versus Dharamveer Singh and another, arising out of Complaint Case No. 11764 of 2023, Dharamveer Singh versus Haridarshan, U/s 138 of the Negotiable Instruments Act Police Station T. P. Nagar District Meerut to the extent of order passed on the 7 kha Stay Application and stay the operation and effect of the order dated 01.08.2025 passed in Complaint Case No. 11764 of 2023 Dharamveer Singh versus Haridarshan U/s 138 of the Negotiable Instruments Act Police Station T. P. Nagar District Meerut till the final disposal of the Criminal Appeal No. 111 of 2026 and or pass such other and further order as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case, otherwise the applicant shall suffer grave irreparable loss Injury.

It is also prayed that this Hon'ble Court may graciously be pleased to direct the Ld. Appellate Court to make disposal of the Criminal Appeal No. 111 of 2026, Haridarshan versus Dharamveer Singh and another, arising out of Complaint Case No. 11764 of 2023, Dharamveer Singh versus Haridarshan, U/s 138 of the Negotiable Instruments Act Police Station T. P. Nagar District Meerut, in accordance with law within shortest stipulated period, otherwise the applicant shall suffer irreparable loss injury.

It is also prayed that this Hon'ble Court may graciousty be pleased to stay the operation and effect of impugned order dated 19.06.2026 passed by the Ld. I/c. Sessions Judge, Meerut in Criminal Appeal No. 111 of 2026, Haridarshan versus Dharamveer Singh and another, arising out of Complaint Case No. 11764 of 2023 Dharanveer Singh versus Haridarshan U/s 138 of the Negotiable Instruments Act Police Station T. P. Nagar District Meerut to the extent of order passed on the 7 kha

Stay Application, otherwise the applicant shall suffer grave irreparable loss injury. "

3. Learned counsel for the applicant submits that the applicant was convicted by the learned trial court in the complaint case no. 11764 of 2023, as mentioned above, vide judgment dated 01.08.2025 and against the said conviction the applicant preferred an appeal before the concerned appellate court. The concerned appellate court vide its order dated 19.06.2026 heard on the stay application and bail application of the applicant and on the stay application passed an order for deposition of 20% amount of the total fine amount within fifteen days from the date of the order and also suspended the operation of the impugned judgment of the learned trial court. The appellate court also released the applicant on bail on furnishing personal bond of Rs. 25,000/- and two sureties each in the like amount to the satisfaction of the court concerned. He next submits that the applicant is a farmer and the amount of 20%, as mentioned above, is too exorbitant, the applicant's appeal is pending for adjudication before the appellate court as well as the conclusion regarding the innocence or guilt of the applicant is also pending. He further submits that the applicant is ready and willing to pay an amount to the extent of 10% of the fine or compensation as awarded to him.

4. Learned A.G.A. has no objection to the aforesaid contentions of the learned counsel for the applicant.

5. In view of the above, the impugned order dated 19.06.2026 is modified only to the extent that the applicant shall deposit 10% of the total compensation amount as was ordered vide the said order within a period four weeks from the date of production of certified copy of this order before the concerned trial court. For a period of four weeks from the date of production of certified copy of this order or till the applicant deposits the amount as mentioned above, whichever is earlier, no coercive action shall be taken against him in the aforesaid case. However in case of default, the present arrangement shall automatically stand vacated.

6. With the aforesaid direction, the instant application stands **disposed** of.

(Prashant Mishra-I,J.)

October 6, 2026
Saurabh

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