2026:AHC:208472

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 38516 of 2026

Mahendra Singh And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Ashutosh
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. Heard learned counsel for the applicants and learned AGA for the State.

2. The instant application has been preferred for seeking quashing of charge-sheet dated 21.04.2020, cognizance/summoning order dated 27.07.2020 and the entire proceeding of Case No.1046 of 2020, arising out of Case Crime No.847 of 2019, under sections 420, 406, 506 IPC, P.S. Swar, District-Rampur, pending before learned court of Additional Chief Judicial Magistrate, Court No.2, Rampur.

3. On perusal of entire record appended with the 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 order and entire criminal proceedings of the said case, can be set aside.

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

5. Thereafter, learned counsel for applicants submitted that liberty may be granted to applicants to surrender before the court concerned and apply for bail to which learned AGA has no objection.

6. In view of above, applicant is hereby directed to surrender before the court concerned within a period of **three weeks** from today and apply for bail, if the same is done within stipulated time, their bail application shall be considered and decided expeditiously in accordance with law laid down in the case of **Satender Kumar Antil Vs. C.B.I. and Another**, reported in **2021 (10) SCC 773**. Till **three weeks** from today, no coercive action shall

be taken against applicants herein in pursuance of aforesaid case.

7. Lastly, learned counsel for applicants submits that till today charges have not been framed against the applicants and as such learned court concerned is hereby directed that at the time of framing charges, the same may be framed in the light of judgement rendered by Hon'ble Apex Court in the case of **Delhi Race Club (1940) Ltd. and others vs. State of Uttar Pradesh and another reported in 2024 10 SCC 690**.

8. With the aforesaid direction, the instant application is **disposed of**.

October 6, 2026
Saif

(Saurabh Srivastava,J.)

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