2026:AHC:227835

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 45291 of 2026

Ram Chandar Tiwari And Another

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Puneet Kumar Shukla
Counsel for Opposite Party(s)	:	G.A.

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

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

2. This present application has been filed for seeking quashing of chargesheet dated 08.10.2009 along with cognizance/summoning order dated 19.02.2010 passed in Case No.1185 of 2011 (State Vs. Ram Chandar Tiwari and another), arising out of Case Crime No.120 of 2009, under Sections 323, 504, 506 IPC, P.S. Sarpataha, District Jaunpur, pending in the court of learned Judicial Magistrate-Ist, Jaunpur.

3. On perusal of the narration of FIR as well as impugned order and chargesheet, 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 order along with chargesheet, can be set aside.

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

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

6. In view of the aforesaid, the instant application is finally **disposed of** with a direction to the court concerned that in case, the applicants surrender before the court concerned within a period of three weeks from today and apply for bail in pursuance to order dated 01.05.2024 through which non bailable warrants issued against applicants, their bail application shall be considered and decided expeditiously in accordance with law laid down in

the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and another (2022 SCC OnLine SC 825).**

7. Learned court concerned is also directed to permit the applicants to put their appearance before it through counsel by way of invoking the provisions mentioned under Section 228 BNSS. However, it is made clear that applicants will appear before learned court concerned on the dates on which their presence will be mandatory as per the Statute and the said dates shall be intimated to the applicants through their counsel.

8. It is made clear that till three weeks from today, no coercive action shall be taken against applicants herein in pursuance of aforesaid case, and also they will not be compelled to produce fresh bail bonds and sureties in pursuance of non-bailable warrant since they are earlier on bail.

November 2, 2026
Vivek Kr.

(Saurabh Srivastava,J.)

Digitally signed by :-
VIVEK KUMAR
High Court of Judicature at Allahabad