2026:AHC:209958

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 43118 of 2026

Ajay @ Ajay Kumar Rana

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s)	:	Akhilesh Kumar Yadav
Counsel for Opposite Party(s)	:	G.A.

Court No. - 72

HON'BLE DEEPAK VERMA, J.

1. Heard learned counsel for the applicant, learned Additional Government Advocate for the State of U.P./opposite party no.1 and perused the record.

2. This application under Section 528 B.N.S.S. has been filed by the applicant to quash the summoning order dated 21.10.2022 passed by the learned Chief Judicial Magistrate, Bijnor, non bailable warrant order dated 05.08.2024 issued against the applicant and proceedings of Complaint Case No.30495 of 2022 (Harpal Singh vs. Rasul and others), under Sections 147, 148, 149, 323, 307, 392, 504, 506 I.P.C., P.S. Dhampur, District Bijnor, pending in the court of Additional Chief Judicial Magistrate III, Bijnor.

3. At the outset learned counsel for the applicant gave up his challenge to the aforesaid non-bailable warrant and criminal proceedings against the applicant and confined his submission requesting to grant some protection to the applicant to surrender before the concerned court below. The learned counsel for the applicant further stated at the Bar that he is not pressing any other prayer made in this application on merits and prayed that a direction may be issued to the concerned courts below to consider and decide the bail application of the applicant expeditiously.

4. Learned A.G.A. for the State of U.P. submits that in case the applicant is not pressing the relief as sought for by him on merits and wants to surrender before the concerned court below, he has no objection if the Court grants protection to him for a short period.

5. In view of the above, the relief as sought by the applicant in the instant application is refused.

6. However considering the aforesaid alternative prayer made by learned counsel for the applicant, it is directed that the applicant shall surrender before the concerned court below within three weeks from today and in case he applies for bail, the bail application of the applicant shall be disposed of expeditiously by the courts below in accordance with law and keeping in view the guidelines as laid down by the Apex Court in the case of **Satender Kumar Antil vs. Central Bureau of Investigation and another,** reported in 2021 SCC Online SC 922.

7. For the period of three weeks from today or till the time of surrender of the applicant before the concerned Court below, whichever is earlier, non-bailable warrant dated 05.08.2024 shall be kept in abeyance.

8. With the above observations and directions, this application under Section 528 B.N.S.S. is **disposed of.**

October 7, 2026
SKD

(Deepak Verma,J.)

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