HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 46414 of 2026

Dharamvir Singh And 2 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

Court No. - 76

HON'BLE SAURABH SRIVASTAVA, J.

1. On the request of learned counsel for applicants, this matter is being taken up out of turn considering the urgency.

2. Heard learned counsel for applicants and learned A.G.A. for State.

3. The present application under Section 528 BNSS has been filed for quashing order of process u/s 82 Cr.P.C. dated 29.08.2024 and non-bailable warrant dated 01.08.2024 passed by learned Judicial Magistrate, Sikandararau, Hathras in Criminal Case No.2796 of 2012 (State of U.P. Versus Dharamvir and Others) arising out of NCR No.33 of 2012, under Sections 323, 504, 506 I.P.C., Police Station- Matsena, District- Firozabad.

4. On perusal of entire record appended along with 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 non-bailable warrant and process u/s 82 Cr.P.C. issued in the said case, can be set aside.

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

6. Lastly, learned counsel for applicants submitted that liberty may be granted to applicants to appear before the court concerned in pursuance to order of process u/s 82 Cr.P.C. dated 29.08.2024 and non-bailable warrant dated 01.08.2024 issued against them, to which learned AGA has no objection.

7. In view of the aforesaid, the instant application is finally **disposed of** with

a direction to the applicants to appear before learned court concerned in pursuance to order of process u/s 82 Cr.P.C. dated 29.08.2024 and non-bailable warrant dated 01.08.2024 issued against them within **three weeks** from today and prefer bail, which shall be decided in the light 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 initiated against the applicants. After the expiry of aforesaid period of **three weeks**, learned concerned court is directed to proceed as per law.

8. However, it is made clear that learned court concerned may not compel the applicants to prefer fresh bond and surety, since they have already been extended bail in this case.

October 24, 2026
Saif

(Saurabh Srivastava,J.)

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