HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 46351 of 2026

Raju @ Krishnakant Mishra

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

Counsel for Applicant(s) : Ajay Kumar Giri, Surendra Kumar, Vinda Giri

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 has been filed by the applicant to quash the entire proceedings of Complaint case No. 640 of 2019 (Shailendra Kumar Pandey Versus Raju @ Krishnakant and another) as well as the summoning order dated 12.12.2019 under sections 452, 323, 504, 506, 419, 420 IPC and the NBW dated 29.07.2024, pending before the court of civil judge (Senior Division) F.T.C Kaushambi.

3. At the outset learned counsel for the applicant gave up his challenge to the aforesaid charge sheet, 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. 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 or recall for NBW, 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, whichever is earlier, non-bailable warrant dated 29.07.2024 shall be kept in abeyance.

8. With the above observations and directions, the application under Section 528 BNSS is **disposed of.**

(Deepak Verma,J.)

October 24, 2026
Meenu Singh

Digitally signed by :-
MEENU SINGH
High Court of Judicature at Allahabad