2026:AHC:212599

HIGH COURT OF JUDICATURE AT ALLAHABAD

APPLICATION U/S 528 BNSS No. - 44055 of 2026

Nanki Devi And 4 Others

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

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

Court No. - 74

HON'BLE SAMIT GOPAL, J.

1. List revised.

2. Heard Sri Pradeep Kumar, learned counsel for the applicants, Sri Ajay Singh, learned AGA-I for the State and perused the record.

3. This application under Section 528 BNSS has been filed by the applicants **Nanki Devi, Vijay Kumar @ Monu, Veeru Kumar Gaur, Shani Kumar Gaur** and **Sonu** with the prayer to allow this application and to quash the impugned charge sheet dated 27.10.2024, under Sections 74, 76, 333, 352, 115(2), 191(2), 351(2) BNS and Section 3(1)(da), 3(1)(dha), 3(2)(va) of SC/ST Act and Section 92 of Right of persons with Disability Act as well as quash impugned summoning order dated 03.11.2025 passed by Special Judge, SC/ST Act, Kanpur Nagar as well as entire proceedings of Session Trial No. 1805 of 2025 (State Vs. Vijay Kumar @ Monu and others) arising out of Case Crime No. 0171 of 2024, pending in the said court and with a further prayer to stay the further proceedings of the aforesaid case, during the pendency of the present application.

4. At the very outset, learned counsel for the applicants states that the purpose of the applicants would suffice if an order is passed directing the trial court to decide the bail application of the applicants as expeditiously as possible. He further states that although the prayer has been made for quashing and staying the proceedings of the aforesaid case but he does not press the same.

5. Learned counsel for the State has no objection of aforesaid arguments of learned counsel for the applicants.

6. In view of the above, the prayer for quashing and staying the further proceedings of the aforesaid case is dismissed as not pressed.

7. However, in view of the peculiar facts and circumstances of the case and looking to the limited prayer of learned counsel for the applicants it is directed that if the accused-applicants surrender before the trial court concerned or on before 30.10.2026 and apply for bail, the same shall be considered and decided expeditiously in accordance with law.

8. The present application stands disposed of.

9. Registrar (Compliance) to communicate this order to the concerned trial court within one week.

(Samit Gopal,J.)

October 9, 2026
M. ARIF

Digitally signed by :-
MOHAMMAD ARIF
High Court of Judicature at Allahabad