2026:AHC:212919

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**APPLICATION U/S 528 BNSS No. - 44135 of 2026**

Shamshul (Hakim Baba)

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite Party(s)

| | | |
|---|---|---|
| Counsel for Applicant(s) | : | Neeraj Pal |
| Counsel for Opposite Party(s) | : | G.A. |

**Court No. - 72**

**HON'BLE DEEPAK VERMA, J.**

1. Heard learned counsel for applicant; learned A.G.A. for State and perused the record.

2. The instant 528 BNSS Application has been filed with a prayer to quash the Summoning Order dated 20.07.2016 passed by Special Judge (DAA)/Additional District and Sessions Judge, Court No.4, Kannauj along with entire proceeding of Complaint Case No. 19 of 2016 (Mufida Begum Vs. Shamshul and others), under sections 452, 392 of I.P.C., Police Station Kannauj, District Kannauj and N.B.W. dated 22.02.2021 and all consequential orders passed in above complaint case, passed by Additional District Judge/F.T.C.-1st, Kannauj, pending in the Court of Additional Sessions Judge, Court No.2, Kannauj.

3. After arguing the matter at some extent, learned counsel for applicant submits that present application may be dismissed as not pressed with liberty to file a bail application which may be decided in view of law laid down by Supreme Court in **"Satender Kumar Antil Vs. Central Bureau of Investigation and another,** reported in **2021 SCC OnLine SC 922"** to which learned A.G.A. has no objection.

4. In view of the above, it is provided that in case the applicant appears before the trial court within three weeks from today and applies for bail, the same shall be decided expeditiously, in view of the law laid down by the Apex Court in Satender Kumar Antil (supra).

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

6. The petition is **disposed off** accordingly.

**(Deepak Verma,J.)**

**October 9, 2026**
Nitin Verma

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