



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 3356 of 2026

Bhagwan Singh Kushwaha

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ram Neta Singh
Counsel for Respondent(s)	:	G.A.

Along with :

1. Criminal Misc. Writ Petition No. 27160 of 2025:

Mohan Singh Baghel

Versus

State of U.P. and 3 others

Court No. - 47

HON'BLE J.J. MUNIR, J.

HON'BLE ACHAL SACHDEV, J.

Order on Writ Petition.

The petitioner has come up with a prayer seeking to quash the impugned FIR giving rise to Case Crime No. 06 of 2020, under Sections 409, 420, 120-B IPC and Section 13(2) of the Prevention of Corruption Act, Police Station - Kanpur Sector (E.O.W.), District - Kanpur Nagar.

It is pointed out that the petitioner has been blamed for embezzling a sum of Rs. 3,71,850/- during the financial years 2009-10 and 2010-11 when he was the Principal of Shri Teekaram Mahavidyalaya, Sadabad, District-Hathras whereas the petitioner says that he was never Principal of the said institution.

It is also submitted that the impugned FIR was lodged as late as in the year 2020 and the petitioner came to know of it much later.

Learned Counsel for the petitioner has invited our attention to the supplementary affidavit dated 02.04.2026 where in the sole annexure, annexed as annexure SA 1 at page 7 of the supplementary affidavit, there is a photostat copy of a proforma dated 12.02.2009 sent to Dr. Bhim Rao Ambedkar University, Agra to which the college is affiliated, disclosing the identity of the Principal. The name of the Principal disclosed during the relevant period of time is Dr. Devendra Pal Singh and not the petitioner.

Learned Counsel for the petitioner has further relied upon an interim order passed by a Division Bench of this Court, comprising one of us (Achal Sachdev, J.), wherein an interim stay of arrest has been granted *vide* order dated 10.12.2025.

Pending admission issue notice.

Notice on behalf of respondent nos. 1 to 3 is accepted by Mr. Virendra Kumar Shukla, learned State Law Officer. He is granted two weeks' time to file a counter affidavit.

Steps to serve respondent no. 4 shall be taken by R.P.A.D. within four working days.

List for **admission** on **08.05.2026** along with a report regarding service and the postal track attached. A report regarding status of pleadings shall also be made by the office.

Till the next date of listing, the petitioner, **Bhagwan Singh Kushwaha**, shall not be arrested in connection with Case Crime No. 06 of 2020, under Sections 409, 420, 120-B IPC and Section 13(2) of the Prevention of Corruption Act, Police Station - Kanpur Sector (E.O.W.), District -

Kanpur Nagar.

Order on Criminal Misc. Stay Application No. 1 of 2026

Issue notice.

For orders, see our order of date passed on the writ petition.

Let this order be communicated to the Commissioner of Police, Kanpur Nagar and the Station House Officer, Police Station- Kanpur Sector (E.O.W.), District- Kanpur Nagar through the learned Chief Judicial Magistrate, Kanpur Nagar by the Registrar (Compliance) **within 48 hours.**

(Achal Sachdev,J.) (J.J. Munir,J.)

April 20, 2026
Prashant D.