



2026:AHC:94127

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**APPLICATION U/S 528 BNSS No. - 10245 of 2026**

Dara Singh Chauhan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite  
Party(s)

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Counsel for Applicant(s) : Ashok Kumar Pandey, Rituraj Singh  
Counsel for Opposite Party(s) : G.A.

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**Court No. - 73**

**HON'BLE VIKRAM D. CHAUHAN, J.**

1. In pursuance to the orders dated 1.4.2026 and 10.4.2026, learned Additional Advocate General on instructions has informed that summons were served on 10.2.2026.

2. Today supplementary affidavit has been filed by learned counsel for the applicant annexing copy of the order dated 11.2.2026 of the Chief Judicial Magistrate, Mau indicating that previously summons have not been served although issued by the court concerned to the accused person.

3. Learned counsel for the applicant submits that applicant is being proceeded under Sections 171F and 188 of Indian Penal Code. Learned counsel for the applicant further submits that allegation against the applicant is that applicant was present in a meeting held by one political party under the leadership where applicant was also present. The permission of the meeting is from 4.00 p.m. to 5.00 p.m., however, the meeting continued up to 9.00 p.m. and as such present criminal proceedings have been drawn against the applicant. Learned counsel for the applicant further submits that insofar as offence under Section 188 of Indian Penal Code is concerned, the same cannot be tried as a police case as per Section 195 of Cr.P.C. Learned counsel for the applicant further submits that provisions of Section 171F read with Section 171C of Indian Penal Code would not be attracted in the facts and circumstances of the case as there was no undue influence as per First Information Report.

4. Learned Additional Advocate General prays for and is granted ten days'

time to file counter affidavit.

5. List this case on 13.5.2026 in top twenty cases.

6. Till the next date of listing, the applicant shall not be arrested without leave of this Court.

**(Vikram D. Chauhan,J.)**

**April 27, 2026**  
VMA