



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 10292 of 2026

Vishal

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	: Parth Shukla, Vivek Singh
Counsel for Opposite Party(s)	: G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

In re : C.M. Modification Application No. 02 of 2026.

1. This modification application has been filed by Shri Pankaj Saxena, learned A.G.A.-I, on behalf of Shri Vineet Bhatnagar, Additional Superintendent of Police, Hapur, seeking modification of the order dated 09.04.2026, especially recalling the directions contained in paragraphs 5, 6, and 11 of the said order.
2. This Court is of the view that normally modification application does not lie in a criminal matter in view of Section 362 Cr.P.C. (corresponding Section 403 B.N.S.S.). However, upon perusal of the directions contained in paragraphs 5, 6, and 11 of the order dated 09.04.2026, this Court does not find any good ground to recall the said order, as the Court has not expressed any opinion regarding the guilt of Shri Vineet Bhatnagar, Additional Superintendent of Police, Hapur.
3. The Enquiry Officer is free to take any independent view/action, without being influenced by any observation made in the order dated 09.04.2026.
4. So far as the averment made in paragraph 11 of the affidavit filed in support of modification application, that his promotion to the IPS is due and likely to be considered in the month of May–June, 2026 is concerned, this Court is of the view that the pendency of the enquiry will not affect the promotion of Shri Vineet Bhatnagar, Additional Superintendent of

Police, Hapur, to the IPS cadre.

5. With aforesaid observations/directions, application stands *disposed of*.

Order on Bail Application.

6. A personal affidavit has been filed by Shri D.P.S. Chauhan, learned A.G.A., on behalf of Shri Kunwar Gyananjay Singh, Superintendent of Police, Hapur. The same is taken on record.

7. In pursuance of the order of this Court dated 09.04.2026, a personal affidavit of Shri Kunwar Gyananjay Singh, Superintendent of Police, Hapur, has been filed, wherein certain material regarding the investigation of the case has been annexed. In paragraph 11 of the said affidavit, it has been mentioned that an enquiry has been initiated against Shri Vineet Bhatnagar, Additional Superintendent of Police, Hapur, by the Enquiry Officer, Shri Suraj Kumar Rai, Superintendent of Police, Baghpat. The same is still pending.

8. Learned counsel for the applicant seeks time to file a reply to the personal affidavit filed on behalf of the Superintendent of Police, Hapur.

9. Considering the aforesaid request of learned counsel for the applicant, two weeks' time is granted to him to file a reply to the personal affidavit filed on behalf of the Superintendent of Police, Hapur.

10. Put up this matter as fresh on 26.05.2026.

(Arun Kumar Singh Deshwal,J.)

April 29, 2026

SA