

ITEM NO.24

COURT NO.7

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SPetition for Special Leave to Appeal (Crl.) No.3256/2026

[Arising out of impugned final judgment and order dated 16-01-2026 in A528BNSS No. 24282/2025 passed by the High Court of Judicature at Allahabad]

PRATYUSH KUMAR &amp; ANR.

Petitioner(s)

VERSUS

THE STATE OF U.P &amp; ANR.

Respondent(s)

(FOR ADMISSION)

(IA No. 57582/2026 - EXEMPTION FROM FILING O.T. & IA No. 57585/2026 - PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 27-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. Sadashiv, AOR  
Mr. Pranav Kumar Srivastva, Adv.  
Mr. Nishant Sanjay Kumar Singh, Adv.  
Mr. Mohd Arafat Ahmad, Adv.  
Mr. Mohd Shafat Ahamad, Adv.  
Ms. Vandana, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. The High Court declined to quash the proceedings of Criminal Case No.16/2025 pending as on date in the Court of Special Judicial Magistrate, Kanpur Nagar, U.P. for the offence punishable under Sections 320, 322(C), 336(3), 338, 340(2) and 61 (2) of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS", 2023).
2. We are of the view that the petitioners should prefer a discharge application before the Trial Court.
3. If any such application is filed by the petitioners, the Trial Court shall look into the charge sheet papers and decide the same

in accordance with law.

4. Needless to clarify that the discharge application shall be decided without being influenced in any manner by any of the observations made by the High Court in the impugned order before us.

5. With the aforesaid, this petition stands disposed of.

6. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)