

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 S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4210/2026

[Arising out of impugned final judgment and order dated 16-01-2026 in CRLA No. 223/2026 passed by the High Court of Judicature at Allahabad]

AJAY MISHRA

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

IA No. 73877/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 73880/2026 - EXEMPTION FROM FILING O.T.

Date : 16-03-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Vishweshwar Mishra, AOR

For Respondent(s) : Mr. Adarsh Upadhyay, AOR
Ms. Pallavi Kumari, Adv.

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

1. Upon issuance ofailable warrant by the Trial Court on 02.09.2025, the petitioner has moved the subject application seeking recall of the summons forailable warrant issued against him, and permission to furnish bail bonds under Section 88 of the Code of Criminal Procedure, 1973.
2. Since, there is no order by any Court of competent jurisdiction releasing the petitioner on bail, he cannot directly invoke Section 88 of the Code of Criminal Procedure, 1973 seeking a direction to allow him to furnish

bail bonds.

3. In our considered view, the Courts below has acted in accordance with law, by observing that the occasion for submission of bail bonds will arise only when the petitioner surrenders to the jurisdiction of the Trial Court. The summons issuingailable warrant is only to secure his presence in the Court and not for his release.

4. In view of the above, we find no substance in the Special Leave Petition which fails and is accordingly dismissed, however, on petitioner's surrender before the Trial Court within one week from today, the Trial Court shall consider his application for bail expeditiously and preferably on the same day.

5. Accordingly, the Special Leave Petition is dismissed.

6. Pending application(s), if any, shall stand disposed of.

(MINI)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)