



राजीव कृष्णा, IPS
पुलिस महानिदेशक एवं
राज्य पुलिस प्रमुख, उत्तर प्रदेश

मुख्यालय पुलिस महानिदेशक, उ0प्र0

सिंगोवर विलिंग
शहीद पथ, गोमती नगर विस्तार,
लखनऊ - 226002

फोन नं. 0522-2724003 / 2390240, फैक्स नं. 0522-2724009

सीमूजी नं. 9454400101

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दिनांक: जनवरी 06, 2026

विषय: मा0 उच्च न्यायालय इलाहाबाद तथा खण्डपीठ लखनऊ में योजित होने वाली रिट याचिकाओं / जमानत प्रार्थना पत्रों/अग्रिम जमानत प्रार्थना पत्रों तथा अपीलों आदि पर निर्धारित समय-सीमा के अन्दर समुचित Instructions उपलब्ध कराने के सम्बन्ध में दिशा-निर्देश।

प्रिय महोदय/महोदया,

कृपया परिपत्र के साथ

पत्र सं0-डीजी-10-वि.प्र.-रिट-106/2023 दि0-
20.07.2023

डीजी परिपत्र सं0-05/2024 दि0-19.01.2024

डीजी परिपत्र सं0-03/2023 दि0-30.01.2023

डीजी परिपत्र सं0-09/2022 दि0-30.04.2022

डीजी परिपत्र सं0-39/2021 दि0-06.10.2021

डीजी परिपत्र सं0-42/2021 दि0-02.11.2021

डीजी परिपत्र सं0-43/2021 दि0-01.12.2021

डीजी परिपत्र सं0-31/2021 दि0-28.08.2021

डीजी परिपत्र सं0-24/2021 दि0-26.07.2021

डीजी परिपत्र सं0-10/2021 दि0-03.03.2021

डीजी परिपत्र सं0-37/2020 दि0-22.10.2020

डीजी परिपत्र सं0-51/2019 दि0-05.12.2019

संलग्न क्रिमिनल मिस. बेल अप्लीकेशन संख्या-32994/2025 विनोद राम बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांकित 25.11.2025 तथा क्रिमिनल मिस. रिट पिटीशन सं0-11207/2025 अनुपम कुमार बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांकित 04.12.2025 का संदर्भ ग्रहण करें। मा0 उच्च न्यायालय ने उपरोक्त दोनों आदेशों में प्रस्तरवार आख्या/ Instructions समय से प्राप्त न होने पर अप्रसन्नता व्यक्त की गयी है।

2- मा0 उच्च न्यायालय में योजित होने वाली रिट याचिकाओं/जमानत प्रार्थना पत्रों/अग्रिम जमानत प्रार्थना पत्रों तथा अपीलों आदि पर समय से Instructions उपलब्ध कराने हेतु इस मुख्यालय स्तर से पार्श्वाक्तिक बाक्स में अंकित निर्देश पूर्व में निर्गत किये जा चुके हैं। क्रिमिनल मिस. बेल अप्लीकेशन संख्या-32994/2025 विनोद राम बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांकित 25.11.2025 में मा0 उच्च न्यायालय ने समय से इस्ट्रेक्शन दाखिल न करने पर अप्रसन्नता व्यक्त करते हुये अधोहस्ताक्षरी को इस सम्बन्ध में आवश्यक निर्देश निर्गत करने हेतु निम्नवत आदेश पारित किया गया है—

किये जा चुके हैं। क्रिमिनल मिस. बेल अप्लीकेशन संख्या-32994/2025 विनोद राम बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांकित 25.11.2025 में मा0 उच्च न्यायालय ने समय से इस्ट्रेक्शन दाखिल न करने पर अप्रसन्नता व्यक्त करते हुये अधोहस्ताक्षरी को इस सम्बन्ध में आवश्यक निर्देश निर्गत करने हेतु निम्नवत आदेश पारित किया गया है—

18. In the present case, the bail application of the applicant could not be disposed of for more than one month because of the negligence in providing instruction by the concerned Investigating Officer, therefore, liberty of the applicant has been curtailed because of this reason and he remained in jail for more than one month unnecessarily despite being having a case of bail.

19. Therefore, this court proposes a compensation to the applicant by imposing a cost on the State Government but learned AGA requested that the cost may not be imposed in this matter and in future the State will endeavour to provide instructions in timely manner.

20. Therefore, considering the aforesaid submission, this court resists itself from imposing any cost on the negligent Sub-Inspector or the State Government. However, this court directs the Director General of Police, U.P., Lucknow to issue a circular to all district police chiefs that in case any negligence is found on the part of any police officer in providing instruction in bail to the Government Advocate then same shall be dealt with strictly.

3- मा० उच्च न्यायालय द्वारा जमानत प्रार्थना पत्रों पर प्रस्तरवार आख्या/Instructions समय से उपलब्ध कराये जाने हेतु पुलिस अधीक्षक/अपर पुलिस अधीक्षक स्तर के अधिकारी को नोडल अधिकारी नामित किया जा चुका है किन्तु मा० उच्च न्यायालय के समक्ष समय से प्रस्तरवार आख्या/Instructions न उपलब्ध कराये जाने के प्रकरण बार-बार संज्ञान में आ रहे हैं। इस मुख्यालय स्तर से जमानत प्रार्थनापत्रों/अपीलों पर समुचित निर्देश (Instructions)/ प्रस्तरवार आख्या निर्धारित समयसीमा के अंदर शासकीय अधिवक्ता, मा० उच्च न्यायालय इलाहाबाद तथा खण्डपीठ लखनऊ को उपलब्ध कराने हेतु लगातार निर्देश निर्गत किये जाने तथा इस कार्यवाही की समीक्षा हेतु वरिष्ठ पुलिस अधिकारियों की अध्यक्षता में समितियों का गठन किये जाने के उपरान्त भी जमानत प्रार्थनापत्रों/अपीलों पर समय से समुचित प्रस्तरवार आख्या उपलब्ध कराने की कार्यवाही पूरी नहीं की जा रही है, जो मा० उच्च न्यायालय तथा इस मुख्यालय द्वारा निर्गत किये गये पूर्व निर्देशों का स्पष्ट उल्लंघन है।

5- अतः आप सभी को पुनः निर्देशित किया जाता है कि मा० उच्च न्यायालय में योजित होने वाली रिट याचिकाओं/जमानत प्रार्थना पत्रों/अग्रिम जमानत प्रार्थना पत्रों तथा अपीलों आदि पर ससमय Instruction/आख्या मुख्य स्थायी अधिवक्ता तथा शासकीय अधिवक्ता, मा० उच्च न्यायालय इलाहाबाद तथा मा० उच्च न्यायालय खण्डपीठ लखनऊ में उपलब्ध कराना सुनिश्चित करें तथा जिन अधिकारियों/कर्मचारियों द्वारा शिथिलता किये जाने का तथ्य संज्ञान में आता है तो सम्बन्धित अधिकारी/कर्मचारी के विरुद्ध नियमानुसार कार्यवाही कराना सुनिश्चित करें।

संलग्नकःयथोपरि।

भवदीय,
(राजीव कृष्णा) ६।

1. समस्त पुलिस आयुक्त, उत्तर प्रदेश।
2. समस्त वरिष्ठ पुलिस अधीक्षक/पुलिस अधीक्षक, प्रभारी जनपद, उत्तर प्रदेश।

प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु :—

1. अपर पुलिस महानिदेशक (रिलेज), उ०प्र०, लखनऊ।
2. अपर पुलिस महानिदेशक (अभियोजन), उ०प्र०, लखनऊ।
3. अपर पुलिस महानिदेशक (अपराध), उ०प्र०, लखनऊ।
4. अपर पुलिस महानिदेशक, तकनीकी सेवाएं मुख्यालय, उ०प्र०, लखनऊ।
5. समस्त जोनल अपर पुलिस महानिदेशक, उ०प्र०।
6. पुलिस महानिरीक्षक (कानून एवं व्यवस्था), उ०प्र०, लखनऊ।
7. समस्त परिक्षेत्रीय पुलिस महानिरीक्षक / पुलिस उपमहानिरीक्षक, उ०प्र०।



2025:AHC:210581

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 32994 of 2025

Vinod Ram

.....Applicant(s)

Versus

State of U.P.

.....Opposite Party(s)

Counsel for Applicant(s) : Ashok Kumar Maurya
Counsel for Opposite Party(s) : G.A., Pramod Kumar, Sarvesh Kumar Singh

Court No. - 69

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Personal affidavit filed today by Sri Om Veer Singh, Superintendent of Police, Ballia, is taken on record
2. Heard Sri Ashok Kumar Maurya, learned counsel for the applicant, Sri Pramod Kumar, learned counsel for the first informant and Sri Ajit Kumar Singh, Additional Advocate General, assisted by Sri D.P.S. Chauhan, learned A.G.A. for the State and perused the record.
3. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No.123 of 2025, under Sections- 140(1), 61(2), 238 BNS, Police Station-Bansdih Road, District-Ballia, during the pendency of the trial.
4. This matter was heard on 17.11.2025 and following order was passed:

"From perusal of record, it appears that this Court by order dated 08.10.2025 directed the learned AGA to seek instructions regarding the current status of the investigation as well as efforts made towards the recovery of the abductee- Ram Niwas in Case Crime No. 123 of 2025, Police Station- Baansdeeh Road, District- Ballia.

Learned AGA, in compliance of the aforesaid order, informs the Court that he has sent a letter dated 14.10.2025 to the Senior Superintendent of Police, Ballia seeking instructions, but till date, no instruction has been supplied.

This Court is of the view that because of the negligence on the part of the Senior Superintendent of Police, Ballia, this bail application could not be disposed of. This is nothing but interference in the administration of justice. Such act on the part of the Senior Superintendent of Police, Ballia is contemptuous. Therefore, Senior Superintendent of Police, Ballia is hereby directed to appear personally before this Court along with the relevant record showing the effort made by the police subsequent to 08.10.2025 to recover the

abductee- Ram Niwas.

Put up this case as fresh on 25.11.2025.

Registrar (Compliance) is hereby directed to communicate this order to the Senior Superintendent of Police, Ballia, forthwith."

5. In pursuance of the aforesaid order, personal affidavit has been filed by Sri Om Veer Singh, Superintendent of Police, Ballia, wherein it is mentioned that office has received communication dated 14.10.2025 from the office of Government Advocate and thereafter the office of undersigned has sent an intimation dated 15.10.2025 along with a copy of the order dated 08.10.2025 of this court to the Circle Officer, Bansdih, Police Station, Bansdih Road. It is further mentioned that the Investigating Officer, Sub-Inspector, Mahendra Rawat, has collected the letter dated 14.10.2025 issued by the office of Government Advocate on 21.10.2025 but despite receiving the same, he did not provide necessary instructions to the office of Government Advocate and for that reason, a direction for preliminary enquiry has been initiated against the Sub-Inspector, Mahendra Rawat and he has also been suspended till the conclusion of the enquiry.

6. In the aforesaid affidavit, it is mentioned that body of Ram Nivas Ram is not traceable despite best efforts of police as accused might have thrown him in Saryu river from Prabha bridge. It is also mentioned in the aforesaid affidavit that a team has been constituted to trace out the body of Ram Nivas Ram.

7. Considering the aforesaid averment of the personal affidavit, court is satisfied with the explanation submitted by the Superintendent of Police, Ballia and expects that after conclusion of enquiry against the negligent police officer, necessary action would be taken.

8. Learned counsel for the applicant has submitted that there is no witness who has lastly seen the abductee Ram Nivas Ram in the company of the applicant and merely on the basis of statement of co-accused Bhagelu Ram, he has been falsely implicated. It is further submitted that the applicant has no criminal history. It is further submitted that charge sheet has been filed in the present case, therefore, there is no requirement of custodial interrogation. The

applicant is a law abiding citizen and he is languishing in jail since 17.07.2025. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

9. Per contra, learned A.G.A. has vehemently opposed the prayer and submitted that though the chargesheet has been filed against the applicant u/s 140(1), 61(2), 238 BNS but the investigation to trace out the body of Ram Nivas Ram is still pending.

10. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and keeping in view the nature of offence, evidence, complicity of accused and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

11. Let the applicant- **Vinod Ram**, involved in the aforementioned crime be released on bail, on his furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

i. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.

iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by him.

12. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

13. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

14. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within

15 days.

15. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

16. Office is directed to send a copy of this order to the applicant through concerned Jail Superintendent via e-mail or e-prison portal in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021** decided on 31.01.2023 reported in (2024) 10 SCC 685.

17. Personal appearance of Sri Om Veer Singh, Superintendent of Police, Ballia is exempted.

18. In the present case, the bail application of the applicant could not be disposed of for more than one month because of the negligence in providing instruction by the concerned Investigating Officer, therefore, liberty of the applicant has been curtailed because of this reason and he remained in jail for more than one month unnecessarily despite being having a case of bail.

19. Therefore, this court proposes a compensation to the applicant by imposing a cost on the State Government but learned AGA requested that the cost may not be imposed in this matter and in future the State will endeavour to provide instructions in timely manner.

20. Therefore, considering the aforesaid submission, this court resists itself from imposing any cost on the negligent Sub-Inspector or the State Government. However, this court directs the Director General of Police, U.P., Lucknow to issue a circular to all district police chiefs that in case any negligence is found on the part of any police officer in providing instruction in bail to the Government Advocate then same shall be dealt with strictly.

21. **Registrar (Compliance)** is directed to send a copy of this order to Director General of Police, U.P., Lucknow, for necessary compliance.

November 25, 2025
S.C.

(Arun Kumar Singh Deshwal,J.)



HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. WRIT PETITION No. - 11207 of 2025

Anupam Kumar

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Lko. And
Others

.....Respondent(s)

Counsel for Petitioner(s) : Abhishek Srivastava
Counsel for Respondent(s) : G.A.

Court No. - 11

HON'BLE ABDUL MOIN, J.
HON'BLE MRS. BABITA RANI, J.

1. Heard learned counsel for the petitioner and learned Government Advocate appearing on behalf of State-respondents.

2. In pursuance to the order of this Court dated 01.12.2025, the personal affidavits of the Principal Secretary (Home), Govt. of U.P., Lucknow as well as the Director General of Police, U.P., Lucknow have been filed which are taken on record.

3. The reasons which led to filing of the personal affidavits are indicated in the order of this Court dated 01.12.2025 which, for the sake of convenience, is reproduced below:

"1. Despite the petition being filed on 21.11.2025 and has again come up today after around ten days yet the learned AGA states that he is not having instructions.

2. Learned A.G.A. states that a letter has been sent to the Principal Secretary (Home) Lucknow vide notice No.12671 by the office of the Government Advocate, High Court, Lucknow with a copy to Commissioner of Police, Lucknow, Station House Officer, Police Station Chinhat, Lucknow as well as the first informant of the said FIR for instructions yet surprisingly, despite lapse of ten days, instructions are still not forthcoming.

3. It is a matter which involves the life and liberty of the petitioner who is approaching the Court for the redressal of his grievances but it is rather strange that despite tens days having lapsed, neither Principal Secretary

(Home) nor the Commissioner of Police, Lucknow have sent any instructions in this regard.

4. Earlier too, the learned Government Advocate had been informed about non receiving of instructions from the State authorities, yet the said problem of non receipt of instructions still subsist. Non sending of instructions to the office of the learned Government Advocate is thus acting as an impediment in the discharge of justice.

5. Considering the aforesaid, let the Principal Secretary (Home) as well as Director General of Police, Lucknow file their personal affidavits within three days indicating as to why instructions are not being sent by the authorities including the Principal Secretary (Home) Lucknow to whom the said notice had been addressed to.

6. The personal affidavits be filed indicating the reasons for not sending of the instructions timely to the highest court of State i.e. this Court as well as indicating as to what action has been taken against the authorities/persons for this lackadaisical attitude, who are responsible for not sending the instructions and as to how sending of the instructions is to be expedited by the authorities.

7. Let personal affidavits be filed within three days failing which the Principal Secretary (Home) as well as Director General of Police, Lucknow shall appear in person along with the records to assist the Court on the date fixed.

9. List on 04th December, 2025."

4. In the personal affidavit of the Principal Secretary (Home), it has been indicated that the Director General of Police has been instructed to undertake actions pertaining to (a) reasons for non-issuance of instructions in time in the subject case as well as other similar cases, (b) a competent-level inquiry to be conducted into the delay caused in the subject case and (c) an appropriate action plan to be prepared to address and rectify the causes for the delay.

5. In paragraph 9 of the personal affidavit, an unqualified assurance has been given that all appropriate measures shall be undertaken to avert such omissions and to ensure that adequate assistance is rendered to the Court during the course of hearing and that the lapses which have occurred shall not be repeated.

6. The lapses which led to this Court passing the order dated 01.12.2025 have already been indicated in the said order.

7. Dr. V.K. Singh, learned Government Advocate states that an endeavour would be made to set the system in motion pertaining to sending of timely instructions within two weeks considering the assurance as has been given by the Principal Secretary (Home) in paragraph 9 of the personal affidavit.

8. The aforesaid statement is recorded.

9. So far as the merits of the case are concerned, the learned counsel for the petitioner, after arguing at some length, states that he does not intent to press on with the writ petition and prays that the same may be dismissed as withdrawn with a liberty to the petitioner to pursue appropriate remedy as may be available to him.

10. Accordingly, it is open for the petitioner to pursue appropriate remedy as may be available to him.

11. The writ petition may have been disposed of on the statement as given by the learned counsel for the petitioner but we decide to keep the matter pending considering the assurance as has been extended by the Principal Secretary (Home) as well as the learned Government Advocate on the basis of averments contained in the personal affidavit of adequate measures being put in motion within a period of two weeks.

12. As such, only for this purpose, this case would be listed on 13.01.2026 for the learned Government Advocate to indicate the measures which have been put in motion for the purpose of receiving timely instructions by this Court.

December 4, 2025
S. Shivhare

(Mrs. Babita Rani,J.) (Abdul Moin,J.)