



2026:AHC:148121

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 31738 of 2025

Vijay Singh Chauhan

.....Applicant(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Applicant(s) : Basant Kumar Chauhan, Shyam
Chandra Pandey

Counsel for Opposite Party(s) : Abhijeet Verma, G.A., Satyam Singh

Court No. - 66

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Basant Kumar Chauhan along with Sri Shyam Chandra Pandey, learned counsel for the applicant, Sri Satyam Singh along with Sri Abhijeet Verma, learned counsel for the first informant and Sri Roshan Kumar Singh, learned A.G.A. for the State and perused the record.

2. The instant bail application has been filed with a prayer to release the applicant on bail in Case Crime No. 320 of 2025, under Sections-75, 78, 77, 126(2), 351(3), 319(2), 229, 338, 308(6) of BNS, Police Station-Civil Line, District-Prayagraj, during the pendency of the trial.

3. The brief facts of the case are that the first informant (lady Advocate of this Court) lodged the present First Information Report alleging that the applicant had been continuously harassing and stalking her for about eleven months by persistently following and obstructing her, compelling her to enter into an engagement, making repeated unsolicited telephone calls and objectionable voice messages, defaming and character-assassinating her, intruding into her professional sphere, misrepresenting his identity before the Court and thereby causing her mental distress, psychological trauma and professional hardship. On the basis of the said allegations, the impugned F.I.R. came to be registered against the applicant. During the course of investigation, the Investigating Officer recorded the statement of the informant under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023, arrested the applicant,

prepared the arrest memo, collected and examined the electronic evidence furnished by the informant, including a pen-drive, screenshots of chats, voice messages and other digital material, prepared the site plan and recorded the statement of the informant's father. Thereafter, the statement of the informant under Section 183 BNSS was recorded before the competent Magistrate and the material collected during investigation was incorporated in the case diary. Upon completion of the investigation, the applicant was charge-sheeted for the offences alleged.

4. On 16.03.2026, this Court granted interim bail to the applicant by passing the following order:

"1. Report regarding mental status of the applicant is taken on record.

2. Heard Sri Basant Kumar Chauhan along with Sri Shyam Chandra Pandey, learned counsel for the applicant, Sri Satyam Singh along with Sri Abhijeet Verma, learned counsel for the first informant and Sri Roshan Kumar Singh, 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.320 of 2025, under Sections-75, 78, 77, 126(2), 351(3), 319(2), 229, 338, 308(6) of BNS, Police Station-Civil Line, District-Prayagraj, during the pendency of the trial.

4. Contention of learned counsel for the applicant is that the allegation in the FIR is that applicant used to stop the first informant while she was going to ladies toilet or in courts corridor and he also tried to contact her despite showing unwillingness by the first informant as the applicant as well as first informant both are advocates in High Court. Learned counsel for the applicant has submitted that applicant is a law abiding citizen and he is languishing in jail since 06.08.2025 and chargesheet has already been filed and the statement of the first informant has already been recorded on 07.03.2026. Learned counsel for the applicant also undertakes that applicant will not enter into the premises of this Court except on the leave of this Court and he will not try to contact the applicant either physically or through social media. In case, he is granted bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. This Court vide order dated 26.02.2026 directed the CMO, Prayagraj to conduct

the mental examination of the applicant and submit report with further direction on the next date that the applicant shall be produced by the Commissioner of Police, Prayagraj before this Court. In pursuance of order of this Court dated 26.02.2026, the instruction was jointly sent by the Medical Officer, District Jail, Prayagraj as well as Senior Superintendent of Police, District Jail, Prayagraj. Along with this instruction, mental status report of the applicant has also been annexed which shows that no psychiatric and neurotic illness could be detected and his mental state is sound. The applicant himself is present before this Court and submitted his unconditional apology for his conduct and further assured that he will not try to contact the first informant in any manner and he himself submitted that he will not visit the High Court without the leave of this Court.

6. Per contra, learned counsel for the first informant has opposed the prayer for bail and submitted that first informant has apprehension that the applicant may again approach her or may cause any untoward incident, therefore he should not be released on bail considering his past conduct.

7. Learned AGA has opposed the prayer for bail.

8. Considering the aforesaid submission and taking into account that applicant is in jail since 06.08.2025 and chargesheet has already been filed and statement of the first informant has already been recorded before the trial court and the applicant himself tendered unconditional apology and assured that in future he will not approach the first informant in any manner either physically or through social media, I am of the opinion that the applicant is entitled to be enlarged on interim bail till the next date of listing so that the conduct of the applicant may be observed by this Court.

9. List this case on 15.05.2026 in chamber at 4:15 pm for further hearing.

10. Let the applicant- Vijay Singh Chauhan, involved in the aforementioned crime be released on interim bail till the next date of listing, 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 interim bail.

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

v. The applicant shall not approach/contact the first informant either physically or through social media platform.

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

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

13. As the first informant is a lady advocate, she has expressed apprehension that the applicant may harass or cause any untoward incident with her, therefore, this court directs Commissioner of Police, Prayagraj to provide personal security to the first informant till the next date of listing.

14. Registrar (Compliance) is directed to send a copy of this order to Commissioner of Police, Prayagraj, for necessary compliance."

5. Learned counsel for the first informant submits that he intends to file an application seeking cancellation of the interim bail granted to the applicant on the ground that the applicant has violated the conditions of interim bail by entering the Court premises despite the undertaking furnished by him that he would not enter the Court premises. Learned counsel for the applicant prays for some time to file a reply to the said application for cancellation of interim bail, as and when the same is filed by the learned counsel for the first informant.

6. Since an application moved by the applicant has also been received in my chamber, addressed directly to me, seeking permission to enter the Court premises and to pursue his legal profession, such conduct on the part of the applicant is strongly deprecated. A person claiming to be an Advocate is expected to be aware that, if he seeks modification of any

order passed by this Court, the proper course is to file an appropriate application before the Registry and not to address or forward the same directly to the Judge in Chambers.

7. *Prima facie*, the aforesaid act of the applicant appears to be an attempt to influence me and may amount to interference with the administration of justice. However, considering that learned counsel for both the parties have sought time to file their respective affidavits, no further observation is being made at this stage.

8. This matter was directed to be listed on 4.8.2026.

9. At this stage, after completion of the dictation, the Court found the applicant is present before this Court despite his specific undertaking given at the time of seeking interim bail that he would not appear before this Court till the next date of listing so that the victim may not feel intimidated.

10. On an earlier occasion also, the victim filed an application stating that the applicant had been continuously violating the undertaking given before this Court. Today, this Court is surprised to find that the applicant himself is present in Court in violation of his undertaking, despite the fact that his counsel is also present. Apart from this, the act of sending an application personally to me, who is sitting in the roster of bail applications, also reflects the conduct of the applicant. Therefore, the interim bail granted to the applicant is hereby **cancelled**. The applicant shall be taken into custody **forthwith** and handed over to the S.H.O., Civil Lines, Prayagraj, who shall produce him before the Magistrate concerned for preparation of the requisite warrant and for sending him to jail.

11. With the aforesaid observations/directions, present bail application is hereby **rejected**.

12. Application, if any, stands **disposed of**.

13. However, personal security of first informant shall remain continue till conclusion of trial of this case.

14. The aforesaid act of the applicant is contemptuous and wholly unprofessional. Therefore, the Bar Council of Uttar Pradesh is directed to conduct an appropriate enquiry into the conduct of the applicant and take appropriate action, in accordance with law, to determine whether he is fit to continue in the legal profession.

15. Let a copy of this order be communicated to the **Secretary, Bar Council of Uttar Pradesh**, through the **Registrar (Compliance)**.

(Arun Kumar Singh Deshwal,J.)

July 20, 2026

SA