2026:AHC:224634

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. ANTICIPATORY BAIL APPLICATION U/S 482 BNSS No. - 11286 of 2026

Shyam Singhal

.....Applicant(s)

Versus

State Of U.P. And 2 Others

.....Opposite Party(s)

Counsel for Applicant(s)	:	Devesh Kumar Sharma, Saurabh Pandey
Counsel for Opposite Party(s)	:	Ashok Kumar Tiwari, G.A.

Court No. - 70

HON'BLE RAJIV LOCHAN SHUKLA, J.

1. Learned counsel for the applicant, Learned A.G.A. for the State and Shri Ashok Kumar Tiwari, Learned counsel appearing for the Bar Council of Uttar Pradesh.

2. Learned counsel for the applicant has contended that the FIR has been lodged against the applicant for filing a forged certificate to obtain enrollment as an Advocate with the Bar Council of Uttar Pradesh. Learned counsel has stated that the FIR has been lodged pursuant to an order passed by this Court in Matter under Article 227 No.12231 of 2025. The FIR came to be lodged for alleged offences under Sections 318 (4), 338, 336(3), 340(2) of the B.N.S. Learned counsel for the applicant has contended that assuming without admitting that the applicant had obtained enrollment on the basis of a forged marks-sheet/certificate, neither the marks-sheet nor the certificate can be considered to be a valuable security to attract the provisions of Section 467 IPC (now Section 338 of the B.N.S). Learned counsel has further submitted that the applicant has already surrendered his certificate of practice and even otherwise, he never practiced nor misused the enrollment granted to him by the Bar Council of Uttar Pradesh. The applicant has no criminal antecedents.

3. Learned counsel for the Bar Council of Uttar Pradesh has contended that the applicant, after falsifying records, obtained enrollment claiming

to be a graduate in Bachelor of Arts from Thiruvalluvar University, Tamil Nadu. The University has not verified the marks-sheet of the applicant and by written communication has informed that the certificate of the applicant is a fake certificate. Learned counsel for the Bar Council of Uttar Pradesh has stated that no indulgence may be granted to the applicant, as it is fake advocates like the applicant who give the entire profession a bad name.

4. Learned A.G.A. has also adopted the submissions of learned counsel for the Bar Council of Uttar Pradesh. Learned A.G.A. further stated that he has not received instructions and as such, he is not able to dispute the claim of the applicant with respect to his criminal antecedents.

5. The applicant has already surrendered his certificate of practice. Prima facie, from the material produced before this Court, it appears that a certificate issued by Thiruvalluvar University, Tamil Nadu, is said to have been forged by the applicant for obtaining enrollment with the Bar Council of Uttar Pradesh. The marks-sheet is not a valuable security and reliance has been placed by learned counsel for the applicant on a judgment of the Supreme Court in the case of **Shriniwas Pandit Dharamadhikari vs. State of Maharashtra, reported in (1980) 4 SCC 551**. Prima facie, the argument of the applicant appears to be sound. The other offences for which the applicant is being sought to be prosecuted are not punishable with more than seven years in the event of conviction. Taking note of the entire facts and circumstances of the case, a prima facie case for grant of anticipatory bail is made out. However, learned A.G.A. has not received instructions. It would be appropriate that this case is disposed of only after instructions are received by the learned A.G.A.

6. Put up as fresh on 16.11.2026. In the meantime, learned A.G.A. shall obtain instructions.

7. Till the next date of listing, in the event of arrest of the applicant-Shyam Singhal involved in the Case Crime No.0296 of 2026, under Sections 318(4), 338, 336(3), 340(2) of Bharatiya Nyaya Sanhita (B.N.S., 2023), Police Station Civil Lines, District Prayagraj he shall be released

on interim anticipatory bail on his furnishing a personal bond and surety to the satisfaction of the Station House Officer of the police station/Court concerned with the following conditions:-

i. the applicant shall make himself available for interrogation by a police officer as and when required;

ii. that 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;

iii. that the applicant shall not leave India without the previous permission of the Court;

iv. that the applicant shall not pressurize/intimidate the prosecution witness;

8. In default of any of the conditions, the prosecution shall be at liberty to file appropriate application for cancellation of anticipatory bail granted to the applicant.

(Rajiv Lochan Shukla,J.)

October 28, 2026
Neeraj

Digitally signed by :-
NEERAJ KUMAR SINGH
High Court of Judicature at Allahabad