

**Court No. - 46**

**Case :-** CRIMINAL APPEAL No. - 1137 of 1988

**Appellant :-** Bhagwan Din & others

**Respondent :-** State

**Counsel for Appellant :-** J.S. Sengar

**Counsel for Respondent :-** A.G.A.

**Hon'ble Naheed Ara Moonis,J.**

**Hon'ble Ajay Bhanot,J.**

The instant appeal has been filed in the year 1988 by Sri J.S. Sengar, learned counsel for the appellants who has left for heavenly abode. This appeal has been swinging since last three decades on the dint of the order dated 11.5.1988 operating in favour of the appellants.

Let notice be issued to the accused appellants through Chief Judicial Magistrate, Allahabad to engage another counsel. In case the appellants are not surviving, the Chief Judicial Magistrate shall submit a report in this regard as per circular issued by this Court.

Let the case be listed in the week commencing 19.3.2018 along with the report of the Chief Judicial Magistrate concerned.

A copy of this order with full particulars be sent through FAX to the Chief Judicial Magistrate concerned within a week for communication and necessary compliance.

**Order Date :-** 6.2.2018

M. Tariq

**Court No. - 46**

**Case :-** CRIMINAL APPEAL No. - 1137 of 1988

**Appellant :-** Bhagwan Din

**Respondent :-** State

**Counsel for Appellant :-** J.S. Sengar

**Counsel for Respondent :-** A.G.A.

**Hon'ble Naheed Ara Moonis,J.**

**Hon'ble Chandra Dhari Singh,J.**

Pursuant to the order dated 06.02.2018, a report of Chief Judicial Magistrate, Allahabad dated 19.03.2018 has been received indicating that all the appellants have left the village 20 years ago and now residing at somewhere else and hence their whereabouts is not known.

Let notices be issued to the sureties through CJM, Allahabad, for ensuring the presence of the appellants before this Court. Since the lower court record has already been received, photostat copies of the sureties, who stood for the appellants be sent to the court below.

Chief Judicial Magistrate, Allahabad as well as Senior Superintendent of Police, Allahabad are directed to effectuate the notice to the sureties as provided under section 446 of the Cr.P.C.

Let a copy of this order be provided to the learned Additional Government Advocate for information and necessary compliance.

Let the case be listed after four weeks.

**Order Date :-** 18.4.2018

Prajapati

**Court No. - 46**

**Case :-** CRIMINAL APPEAL No. - 1137 of 1988

**Appellant :-** Bhagwan Din

**Respondent :-** State

**Counsel for Appellant :-** J.S. Sengar

**Counsel for Respondent :-** A.G.A.

**Hon'ble Naheed Ara Moonis,J.**

**Hon'ble Chandra Dhari Singh,J.**

Office report dated 16.5.2018 indicates that the compliance report is still awaited.

Office is directed to send reminder to the District Judge Allahabad to comply with the order dated 18.4.2018.

Let this appeal be listed in the week commencing 2nd July 2018 before the appropriate Bench.

**Order Date :-** 16.5.2018

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**Court No. - 43**

**Case :-** CRIMINAL APPEAL No. - 1137 of 1988

**Appellant :-** Bhagwan Din

**Respondent :-** State

**Counsel for Appellant :-** J.S. Sengar

**Counsel for Respondent :-** A.G.A.

**Hon'ble Pankaj Naqvi,J.**

**Hon'ble Krishna Pratap Singh,J.**

Power of Sri H.N. Singh on behalf of appellant no.4 / Suraj Din is taken on record. Sri Singh further states that appellants no. 1, 2 and 3 have expired and in support thereof, is ready and willing to file an affidavit with the supporting death certificates issued by the registering authority.

Since appellant no.4 is already represented, we do not find any justification to continue with the notice issued to his surety / Shyam Lal, now represented by Sri V.K. Sharma, Advocate.

The notice to said surety stands recalled.

Office to ensure that when the case is listed next, name of Sri H.N. Singh is shown as counsel for appellant no.4.

L.C.R, stands summoned. Office to prepare the paper-books within six weeks and to hand over the same to the learned counsel for the appellant on payment of usual charges and to the learned A.G.A, free of cost.

List in the week commencing **20.8.2018** for hearing.

**Order Date :-** 4.7.2018

N.S.Rathour



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL APPEAL No. - 1137 of 1988**

Bhagwan Din And Others

.....Appellant(s)

Versus

State

.....Respondent(s)

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Counsel for Appellant(s) : Arun Kumar, Hari Narayan Singh, J.S.  
Sengar, Vinod Kumar Sharma  
Counsel for Respondent(s) : A.G.A.

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**Court No. - 42**

**HON'BLE SIDDHARTHA VARMA, J.  
HON'BLE PRASHANT MISHRA-I, J.**

1. From the order sheet we find that there are two communications dated 17.09.2025 and 06.01.2026 which have been sent to the concerned Chief Judicial Magistrate. However, no reply has been sent by the officials in the court below for the compliance of the communications.
2. Under such circumstances, we are of the view that the communications which have been sent by this Court be looked into by some responsible official.
3. List this case on 11.02.2026.

**(Prashant Mishra-I,J.) (Siddhartha Varma,J.)**

**January 7, 2026**

M.S. Ansari



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL APPEAL No. - 1137 of 1988**

Bhagwan Din And Others

.....Appellant(s)

Versus

State

.....Respondent(s)

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Counsel for Appellant(s) : Arun Kumar, Hari Narayan Singh, J.S.  
Sengar, Vinod Kumar Sharma  
Counsel for Respondent(s) : A.G.A.

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**Court No. - 42**

**HON'BLE SIDDHARTHA VARMA, J.  
HON'BLE PRASHANT MISHRA-I, J.**

1. As per the office report, appellant no.1-Bhagwan Din, appellant no.2-Guru Din and appellant no.3- Ram Din had died and no application to continue the appeal on their behalf is placed. Accordingly, the appeal is abated viz-a-viz appellant no.1-Bhagwan Din, appellant no.2- Guru Din and appellant no.3- Ram Din.
2. So far as appellant no.4- Suraj Din is concerned, no one has appeared on his behalf to argue the case. We, therefore, appoint Sri Amber Khanna (A/A0070/2016) learned counsel as an Amicus Curiae to argue the case.
3. The Registrar General of the High Court may ensure that a copy of the paper book is provided to Sri Amber Khanna (A/A0070/2016) learned Amicus Curiae.
4. List this case for hearing on 10.03.2026.

**(Prashant Mishra-I,J.) (Siddhartha Varma,J.)**

**February 11, 2026**

Saurabh



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**CRIMINAL APPEAL No. - 1137 of 1988**

Bhagwan Din And Others

.....Appellant(s)

Versus

State

.....Respondent(s)

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Counsel for Appellant(s) : Amber Khanna (A.C.), Arun Kumar,  
Hari Narayan Singh, J.S. Sengar, Vinod  
Kumar Sharma

Counsel for Respondent(s) : A.G.A.

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**Court No. - 42**

**HON'BLE SIDDHARTHA VARMA, J.  
HON'BLE PRASHANT MISHRA-I, J.**

1. From the list as was provided by the Legal Services Authority, we had appointed Sri Amber Khanna as an Amicus Curiae. His name stood at Serial No.18. However, when the Registrar (Compliance) tried to serve a copy of the paper book, he showed absolute disinterest. This is clear from the office report dated 9.3.2026. We also find that the Registrar General, on the same date, had tried to make efforts to serve the paper book on the learned counsel. The effort to serve the copy of the paper book was made on 26.2.2026.

2. Today Sri Ajay Kumar Singh has appeared and has stated that Sri Amber Khanna practices both in Noida and in Allahabad.

3. It is strange as to how the Legal Services Authority has empaneled a lawyer who practices at two places. We are, thus, of the view that the Legal Services Authority may once again review the list which it has prepared. We do not in any manner appoint a lawyer who does not practice regularly in Allahabad. Also, from the list we find that the lawyers at Serial Nos.12, 17 and 29 do not have an enrollment number which is of the Allahabad High Court at Allahabad. This aspect of the matter may also be looked into by the Legal Services Authority.

4. Since the paper book could not be served upon Sri Amber Khanna, we now appoint Sri Alok Ranjan Mishra (A/A 0473/2012) as an Amicus

Curiae to argue the instant appeal. Registrar (Compliance) to inform Sri Alok Ranjan Mishra and serve a copy of the paper book upon him.

5. List this case on 8.4.2026.

**(Prashant Mishra-I,J.) (Siddhartha Varma,J.)**

**March 10, 2026**

GS