



2026:AHC:105379

A.F.R.

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 11476 of 2026

Mevalal Prajapati

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Dinesh Mishra
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67**HON'BLE ARUN KUMAR SINGH DESHWAL, J.**

1. Heard Sri Dinesh Mishra, learned counsel for the applicant, Sri Roshan Kumar Singh, learned A.G.A. for the State and perused the record.

2. Instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime no. 290/2025, under Sections 103(1), 238, 309(6), 317(2), Bhartiya Nyay Sanhita (B.N.S.), Police Station- Husenganj, District Fatehpur.

3. This matter was heard on 07.04.2026, 15.04.2026 and 24.04.2026. On that date, the Court found that though a blood-stained screw driver was sent to FSL examination, no query was made by the I.O. whether the blood found on the screw driver belonged to the deceased. Therefore, this Court directed the Director, FSL, to appear before it to assist the Court vide order dated 24.04.2026, and the matter was posted for 29.04.2026. In pursuance of the order dated 24.04.2026, the Director, FSL U.P., Lko, was present on 29.04.2026. On that date, the Director FSL informed the Court that though the DNA profile can be generated within 3 to 4 days if blood sample is fresh and even DNA profile can also be generated from disintegrated blood sample, if the same was collected carefully and high-end instruments are available in the lab and at present FSLs in UP are facing problem not only the shortage of staff but also of latest machines required for forensic and ballistic test. It was also informed by the Director, FSL, that though 12 FSLs have been functioning in the State of U.P., only 8 FSLs have the facility to generate a DNA profile. It was also informed by the Director, FSL, U.P.,

that, as of date, U.P. FSL is not an autonomous body under the Home Department but is part of the police department; for that reason, it is not administratively free to procure instruments or appoint staff. It was further informed that, though the Ministry of Home Affairs, Govt. of India, has sent several letters to the State Government to make the FSL in U.P. an autonomous body under the Home Department, the process is still ongoing. Therefore, this Court again directed the Director General of Police as well as Additional Chief Secretary (Home), U.P., to appear before this Court through V.C. to assist the Court along with the Director, FSL, U.P. vide order dated 29.04.2026.

4. Today, in pursuance of the order dated 29.04.2026, Sri Rajeev Krishna, the Director General of Police, U.P., as well as Sri Mohit Gupta, Secretary Home, U.P., as well as Sri Adarsh Kumar, Director, U.P., FSL are present before this Court through V.C.

5. When the Court asked the DGP, why I.Os. are not seeking query from FSL while sending the blood sample regarding matching of DNA of the blood found on the blood stained weapon as well as accused or deceased then, he apprised to the Court that it is negligence on the part of I.Os. and he will issue appropriate directions regarding seeking DNA match of blood found on the cloth or weapon with the accused as well as deceased.

6. The DGP further informed the Court that in pursuance of the Rule 8 of Electronic Processes (Issuance, Service and Execution) Rules 2026, he will direct all the police officers to record the verified email, messaging application and mobile number of the accused during the investigation and the same would also be available to the Court through CCTNS and also same would be mentioned in the charge sheet. It is further apprised by the DGP that the police are also planning to use the Speech-to-Text AI module to record the statements of witnesses under Section 180 of the BNSS, thereby reducing the time required for manual recording.

7. The DGP also apprises the Court that as on date the e-summons received on CCTNS have been executed to the extent of 84% but when the Court confronted with the data available with the Court that it is less than 50% then he assures the Court that he will take steps and issue necessary directions for ensuring all the e-summons or other process sent by the Court on CCTNS will have to be executed, failing which appropriate action would be taken

against the concerned police personnel as required under Rule 31 (1) of BNSS Rules, 2024. The DGP also informed that District court judges are still hesitant to issue e-summons or e-warrants, though the chances of their execution are higher than in the physical mode.

8. The DGP further informed that the process has been initiated to fill the vacancies in FSL so that FSL reports could be provided to the Court at the earliest. The DGP also apprised the Court that, in pursuance of Rule 21 of the BNSS Rules, 2024, whenever information is received regarding any offence punishable for 7 years or more, police officers trained in forensic science are sent to collect forensic evidence until the regular team of forensic experts joins the police department. He also apprised the Court that a batch of 350 police officers has been trained by UPSIFS, and as of date, the 2nd batch is undergoing training. As soon as these persons are trained, blood samples and other forensic samples will be collected more scientifically.

9. Sri Mohit Gupta, Secretary, Home, has also apprised the Court that in pursuance of several letters of the Ministry of Home Affairs, Government of India, the DGP has recommended to make the FSL a separate department under the Home Ministry, and that is pending before the State Government for final approval.

10. The Director, FSL, on the suggestion of this Court, that as Forensic Science University has limited capacity, then the police officers can also be trained, at least providing basic training for the collection of a blood sample by the local FSL. He assures the Court that he, as well as DGP, will try to implement this suggestion so that more and more police officers can be equipped with basic training in blood sample collection and the collection of forensic evidence. The Court appreciates the above suggestions and the undertaking of the above-mentioned officers.

11. On the basis of a comprehensive study from several district courts on the basis of feedback of District Judges and other judicial officers of districts Sambhal, Shamli, Moradabad, Hapur, Ghaziabad, Mathura, Maharajganj, Agra, and Bulandshahar, this Court found the following reasons regarding heavy pendency, which are being mentioned as follows;

Comprehensive Summary: Causes of Pendency of Cases

The pendency of criminal cases in District Courts is a multi-dimensional issue arising

from structural, procedural, administrative, and stakeholder-related deficiencies. The major causes are summarised as follows:

1. Pendency at Preliminary Stages due to non-appearance of the accused

2. Shortage of Human Resources

- Acute shortage of ministerial staff (clerks, stenographers, readers, deposition writers).*
- In some courts, a single clerk handles thousands of files.*
- Lack of trained and computer-proficient staff.*
- Shortage of Prosecuting Officers/ADGC's affecting the recording of evidence.*
- Shortage of Process Servers.*

3. Non-Execution of Court Processes

- Delay or non-compliance in execution of summons, warrants, and other processes by police.*
- Evasive and incomplete reports submitted by police authorities.*
- Lack of accountability and monitoring mechanisms.*
- Inefficient process transmission system (dependence on limited staff, like pairvi personnel).*
- Difficulties in inter-district and inter-state service of court processes.*
- Limited use of electronic modes for service of court processes.*

4. Witness and Accused-Related Issues

- Non-appearance of witnesses, particularly doctors and police witnesses, due to transfer or lack of permission.*
- Witnesses becoming disinterested due to repeated adjournments.*
- Accused persons absconding or remaining untraceable.*
- Delay in securing the presence of parties due to outdated or unavailable contact details.*

5. Inadequate Judicial Infrastructure

- Insufficient number of functional courts compared to sanctioned strength.*

- *Large number of vacancies in judicial posts.*
- *Excessive daily cause lists (often 100–150 cases per day), limiting effective hearings.*
- *Inadequate digital infrastructure and case-tracking systems.*

6. Investigation and Evidence-Related Delays

- *Delay in police investigation and filing of charge-sheets.*
- *Late receipt of forensic (F.S.L.) reports.*
- *Non-production of case property (muddamal).*
- *Delay in submission of case diaries and records.*
- *Inadequate compliance with legal requirements for electronic evidence (e.g., Section 65B certification).*
- *Limited use of technology (speech-to-text AI module) in recording and presenting evidence.*

7. Frequent Adjournments and Bar-Related Issues

- *Repeated adjournments sought by advocates on personal or professional grounds.*
- *Clash of dates and non-appearance of counsel.*
- *Prolonged and irrelevant cross-examinations and arguments.*
- *Incomplete documentation leading to repeated adjournments.*
- *Dilatory tactics and lack of preparedness.*
- *Apprehension of complaints against judicial officers affecting expeditious disposal.*

8. Docket Explosion and Rising Caseload

- *Continuous high institution of cases exceeding disposal rates.*
- *Even disposed matters generate miscellaneous and appellate proceedings, increasing the overall burden.*

9. Underutilisation of Alternative Dispute Resolution (ADR)

- *Insufficient use of mediation, Lok-Adalats, and arbitration mechanisms.*
- *Failure to divert appropriate cases from regular court processes.*

10. Procedural Delays and Complexities

- *Delay in committal proceedings, especially in multi-accused cases.*
- *Complex and time-consuming procedural stages (evidence, cross-examination, arguments).*
- *Absence of strict timelines for completion of stages.*
- *Frequent filing of interlocutory and miscellaneous applications.*
- *Restoration applications and repeated re-litigation cause duplication of proceedings.*

11. Administrative and File Management Issues

- *Poor file management, indexing, and tracking due to staff shortage.*
- *Missing or incomplete records, especially in transferred cases.*
- *Delay in issuance of orders, notices, and communications.*

12. Institutional and Coordination Gaps

- *Lack of effective coordination between the judiciary, police, and prosecution.*
- *Non-availability or delayed participation of prosecution officers.*
- *Inefficient response from monitoring committees and administrative authorities.*
- *Non-participation of DM, Police-Commissioner/SSP/SP in monitoring cell meetings, instead they send their representatives despite repeated G.O.'s mandating their personal presence in the meetings.*

13. Pendency of Old Cases

- *Cases pending for long durations (5+ years) are not receiving consistent priority.*
- *Repeated adjournments and restoration applications prolong old matters.*

14. External and Practical Constraints

- *Parties and witnesses relocating or becoming untraceable over time.*
- *Heavy workload of police authorities cited for non-compliance.*
- *Influence of parties affecting enforcement in some cases.*
- *Lack of dedicated infrastructure (e.g., counselling spaces, storage facilities like malkhana).*

12. The above study shows that apart from other reasons, the main reasons for pendency of criminal cases in the district court is insufficient ministerial

staff, stenographers, deposition writers and also non-execution of the court's process by the police, as well as delay in receiving the forensic report.

13. The above comprehensive study also shows that there is no effective monitoring system for the execution of the courts' processes by the police department and also non-participation of the District Police Chiefs themselves personally in the monthly monitoring cell meeting under the Chairmanship of concerned District Judge, especially the Commissioners of Police, because they send their representatives. This is not only against several government orders and High Court's circulars, but also a disrespect to the District Judge, who is equivalent to the State Government's Principal Secretary. The Commissioner of Police and the Divisional Commissioner are much lower in rank and protocol than a District Judge. It is also surprising that the State Government has issued an incorrect notification dated 17th July 2013, showing the District Magistrate above the District Judge in protocol, and this must be corrected immediately. Therefore, all District Police Chiefs, including the Commissioner of Police should personally attend the monitoring cell meeting under the Chairmanship of the concerned District Judge, so that issues regarding the non-execution of court processes and faulty police investigations can be discussed and brought to the attention of the District Police Chiefs.

14. From the above mentioned comprehensive study, it is clear that the primary reasons for pendency of criminal cases in district courts are non-execution of process of court as well as non appearance of police witnesses, the DGP, U.P. has apprised the Court that he has directed all the subordinate police officers that process of court, received through electronically on CCTNS, should be executed immediately without fail and he has also assured the Court that he will issue proper directions for ensuring the presence of police witnesses before the court concerned.

15. Though the High Court on the administrative and judicial sides has requested the State Government to sanction more ministerial staff, which includes deposition clerks, the State has not taken any steps. Therefore, main reason for pendency of cases in district courts is not the capability of the judicial officers but because of shortage of staff, non-execution of court's process by the police and delay as well as incomplete FSL Report, Therefore, it is the State Government as well as Police who are mainly responsible for pendency of criminal cases in district courts even then

district judiciary is blamed by the social media and other common persons for non disposal of their cases.

16. Because of taking advantage of the pendency of criminal cases, many criminals kept on repeating the offences again and again without any fear, and even many of them also became MLAs, MPs, and even Ministers. As per the Association for Democratic Reform's report, as of the date, 49% of Ministers in the U.P. Government are involved in criminal cases, of which 44% are involved in serious criminal cases. Therefore, if sufficient staff and proper cooperation of police are provided to the district judiciary, then the disposal of criminal cases will become fast, and the persons who have been taking advantage of the pendency of criminal cases against them would be behind bars, and the innocent will get a clean chit and the person with clean antecedents will come forward for MLA, MP, or even for ministers.

17. An Independent, fair and transparent judicial system is the backbone of a mature democracy, and a judicial system that itself depends on the mercy of the State Government for sufficient staff and execution of court process will become like a government department struggling for basic needs and infrastructures. Many young judicial officers, who joined the judiciary though very honest and hardworking, having a motto to dispense justice after entering judicial service, found themselves unable to perform because of insufficient staff, non-cooperation by the police in the execution of court processes (summons, warrants, etc.), and faulty investigation and improper FSL reports. Consequently, they became frustrated and looked to the High Court for remedial measures, but the High Court itself cannot do anything, as it is the State Government that must provide basic infrastructure, staff, the FSL report, and police cooperation.

18. In U.P., the personal security of judicial officers of district courts is also a major concern. On many occasions, criminals gave open threats to judicial officers even in courts during their convictions. Sometimes, when judicial officers visit the marketplace or the public place outside the court, they are indirectly intimidated though veiled threat or otherwise by the criminals, but judicial officers, in the absence of a personal security officer (P.S.O.), used to ignore it to avoid conflict and also to save themselves from being highlighted in the media. This also affects the Judicial function of district court judges, especially the issuance of conviction orders against hardcore criminals. In U.P., except for the District Judge, the first Additional District

Judge, and the C.J.M., PSOs to other judicial officers are not provided. This is unlike Punjab and Haryana, where all judicial officers are provided PSOs.

19. A filmy dialogue from the film "Damini" released in the year 1993 that *"Tarikh pe Tarikh, Tarikh pe Tarikh Milti Rahi hai..... lekin Insaaf Nahi Mila My Lord, Insaaf Nahi Mila ! Mili Hai to Sirf Tarikh"*. This dialogue became very popular because it was the perception of a common man, but the reason for it, of course, is not the judicial officer alone, but the State and its police, as a judicial officer can't decide the cases without sufficient staff and the cooperation of police to ensure the presence of the accused, witnesses and a proper FSL report, etc.

20. In the Bharatiya Nagarik Suraksha Sanhita, 2023, several provisions were incorporated to expedite the court proceedings through digitalisation and the use of electronic communication. Now, after completion of the investigation, the police report can be sent to the concerned Magistrate electronically under Section 193(3)(1) BNSS. The Magistrate is also authorised to take cognizance upon a charge sheet received electronically as per Section 210(1) (b) of BNSS. For reference Section 193(3)(1) and 210(1)(b) BNSS are being quoted as under;

Section 193. Report of police officer on completion of investigation

(3) (i) As soon as the investigation is completed, the officer in charge of the police station shall forward, including through electronic communication to a Magistrate empowered to take cognizance of the offence on a police report, a report in the form as the State Government may, by rules provide, stating—

(a) the names of the parties;

(b) the nature of the information;

(c) the names of the persons who appear to be acquainted with the circumstances of the case;

(d) whether any offence appears to have been committed and, if so, by whom;

(e) whether the accused has been arrested;

(f) whether the accused has been released on his bond or bail bond;

(g) whether the accused has been forwarded in custody under section 190;

(h) whether the report of medical examination of the woman has been attached where

investigation relates to an offence under sections 64, 65, 66, 67, 68, 70 or section 71 of the Bharatiya Nyaya Sanhita, 2023;

(i) the sequence of custody in case of electronic device;

(ii) the police officer shall, within a period of ninety days, inform the progress of the investigation by any means including through electronic communication to the informant or the victim;

(iii) the officer shall also communicate, in such manner as the State Government may, by rules, provide, the action taken by him, to the person, if any, by whom the information relating to the commission of the offence was first given.

Section 210. Cognizance of offences by Magistrate.

(1) Subject to the provisions of this Chapter, any Magistrate of the first class, and any Magistrate of the second class specially empowered in this behalf under sub-section (2), may take cognizance of any offence—

(b) upon a police report (submitted in any mode including electronic mode) of such facts;

21. The U.P. Bharatiya Nagarik Suraksha Rules, 2024 (hereinafter referred to as the BNSS Rules, 2024) was also framed in exercise of powers under various sections of the BNSS, 2023. Rule 31 of the BNSS Rules, 2024 also provides for service of summons through email, N-STEP (National Service and Tracking of Electronic Processes), and other electronic means; therefore, Rule 31 authorises the concerned court to send the summons through electronic process to the accused as well as witnesses. Rule 31 of BNSS Rules, 2024 is being quoted as under:

31. Manner of service of summons- *(1) The service of summons may be done physically, or by electronic means as follows: -*

(a) directly on the witness or accused by the police, public servant or a person nominated by the State Government, as the case may be;

(b) through e-mail, if the e-mail address is available;

(c) through publication in newspapers;

(d) by placing it at naturally visible parts of various public places in the concerned district.

(2) Apart from the above, the service of summons may also be done by way of electronic communication.

(3) The service of summons may be done through any electronic or digital application-based system such as ICJS, National Service and Tracking of Electronic Processes (N-STEP) or any other similar system as decided by the Government of India or the State Government, as the case may be.

(4) The service of summons shall be done by a police officer or by any other public servant or person as may be specified by the State Government.

(5) The following guidelines shall also be followed in respect of service of summons:

(a) a summons register shall be maintained at every police station in such format, either physically or electronically, as may be specified by the Director General of Police or the State Government by general or special order from time to time, in which the Head Clerk shall enter the information relating date wise summons/warrant so that there is no laxity in sending the summons/warrant received at the police station to the Court for non/post serving of the summons before/after the date of appearance. In the said summons register, the date of issuance of the process, the date of receipt of the process from the Court, the date of service of the process, along with the details of the recipient, the reason for the process being returned without being served, and the date of sending the served and unserved processes to the Court shall be recorded.

(b) If the process server returns the summons/warrant without serving it, he shall clearly mention that the wanted person has gone out of his residence temporarily or if he has gone out permanently for some time, then by when will he return and also find out the full address of the place from where he went and shall also mention it.

(c) If the warrant could not be served, then considering the accused to be absconding, relevant action shall be taken and the list of the accused's property shall be presented to the Court so that the property can be confiscated by completing the proceedings under sections 84 and 85 of the Sanhita.

(d) Zonal Additional Director General of Police/Regional Inspector General of Police/Police Commissioner, Senior Superintendent of Police/Superintendent of Police, Additional Superintendent of Police and Deputy Superintendent of Police level officers will necessarily review the level of service of summons/warrants during their visit/inspection of police stations and ensure necessary administrative departmental action against the concerned if the work is not found satisfactory.

(e) Where the current address of a witness transferred policeman is not known by the Public Prosecutor, the summons of such policeman will be sent to the Establishment Branch officer of Police at Police Headquarters Lucknow and served to him, in addition to the local Superintendent of Police.

(f) On receiving summons/warrants of retired police or other government services, if

their complete address of residence is not known, it will be ascertained from the Pension Department. If the address given by the Pension Department is wrong, the address will be ascertained through the bank by obtaining the bank account number.

(g) When a request is made to the Court to summon a Gazetted officer as a witness, while fixing the date for his appearance, it will be kept in mind that he should have the opportunity to make proper arrangements for discharging his duties during his absence.

(h) Senior police officers and all District Magistrates will ensure that police witnesses and other public servants summoned in all session trials are present in the Court on the appointed date and time in every case either physically or through video conferencing. If a policeman disobeys the order of the Court, departmental action will be taken against him.

(i) Summons shall be sent to the heads of their offices of locally posted Government employees not only through the police but also through other local means and in case of disobedience, summons should be sent to the head of the department so that timely service can be ensured.

(j) When the deployment or residence status of a police or medical witness is not known in any way for the presence of the witness, then in such a situation the summons shall be sent to the Director General of Police, Uttar Pradesh and Director General, Medical and Health, Uttar Pradesh, as the case may be.

(k) The status of service of summons shall necessarily be considered in the meeting of the District Monitoring cell constituted under the chairmanship of the District and Sessions Judge.

22. The Governor of U.P. also made U.P. Electronic Processes (Issuance, Service and Execution) Rules, 2026 (hereinafter referred to as the E-Processes Rules, 2026) in exercise of powers conferred by Sections 64(1) and Section 351(1) of BNSS, 2023. The E-Processes Rules, 2026 mandate the court to generate and issue process, summons, warrants, and other coercive processes, and to serve them through an officer of the court. E-Processes Rules, 2026 also provide that all e-summons can be directly sent to the accused or witnesses if the court has their electronic address/contact;; otherwise, they will be sent to the police through CCTNS, which shall be further served by the police itself. E-Processes Rules, 2026 also provides for verifying the details regarding electronic email, address, phone number, messaging applications (WhatsApp, Telegram, Facebook, etc.) of the accused or witnesses during investigation or inquiry so that the same can be used by the court for sending the summons directly to the accused or

witnesses after taking cognizance on charge sheet. For reference Rules 3, 4, 8 of E-Processes Rules, 2026 are being quoted as under:

Rule 3. Preparation process electronic mode: The Courts shall generate and issue process in electronic mode through CIS in such forms as set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case may require. The same shall be served by an officer of the Court issuing it.

Rule 4. Service by police officer or other public servant: When the Court does not possess required electronic address/contact details of the person to whom such process is intended to be served or when the process issued as per rule 3 is not served, it may direct the same to be served by a police officer or other public servant

Rule 8. Entry of verified details: The officer in charge of the Police Station shall ensure that the verified details relating to address, disclosed electronic mail address, phone number and messaging application used by the accused or witnesses, as the case may be, are recorded during arrest, investigation or inquiry and entered in CCTNS. Such details shall also be entered in the Register maintained at the Police Station in compliance with sub-section (1) of section 64 of the Sanhita. If any of such details is not available, the Officer-in-charge of the Police Station shall make an endorsement to that effect in the Register:

Provided that any such details may be amended on the basis of further verification or on the basis of an application by such person.

23. Rule 17 of the E-Processes Rules, 2026 further provides that for execution of warrants and other coercive measures, the court will send electronically (NSTEP etc) on the police portal (CCTNS), then the police will execute the same. Rule 17 of the E-Processes Rules, 2026 is being quoted as under;

Rule 17. Procedure in case of warrant: In case of warrant or any other process required to be served In person Is Issued in electronic mode, the officer in charge of the police station or any police officer deputed by him shall take a printout of the warrant or process and execute the same in accordance with the Sanhita and rules made therein.

24. Rule 9 of the E-Processes Rules, 2026 also provides that in case of a private complaint, the complainant shall provide the electronic mail address, phone numbers and messaging applications (WhatsApp, Telegram, Facebook, etc.) of the accused and witnesses along with the complaint and thereafter all processes shall be sent electronically to any of these electronic addresses or contacts. Rule 9 of the E-Processes Rules, 2026, is being quoted

below;

"Rule 9. Details of address, email address, phone number etc. of the accused and witnesses provided by the complainant : Where a case is filed on the basis of a private complaint, the complainant shall provide the details relating to address, disclosed electronic mail address, phone number and messaging application of the accused and witnesses along with the complaint. If any of such information is not available, the complainant shall make an endorsement to that effect.

25. The above-quoted BNSS Rules, 2024 and E-Processes Rules, 2026, aim to decrease the dependency of criminal courts on the police for the execution of court process on the one hand and also increase chances of execution even by the police. Therefore, the District Courts have to follow BNSS Rules, 2024, as well as the E-Processes Rules, 2026, to expedite the court's proceedings so that criminal trials can be concluded at the earliest. However, even for the generation and electronic transmission of court processes, the State Government has to provide additional staff with computer knowledge to the District Courts.

26. After considering the suggestions of the Director General of Police, the Secretary (Home) and the Director FSL, this Court summarises its directions as follows;

i. The State Government shall consider the issue of providing additional staff and infrastructure to the District Courts, considering the heavy workload of cases.

ii. The State Government shall consider making U.P. FSL an autonomous department under its Home Ministry as requested by the Ministry of Home Affairs, Government of India, through different communications.

iii. The State Government shall make its endeavours to fill up vacancies in Forensic Science Laboratories of U.P., along with providing high-end instruments within one year.

iv. The State Government/Police Department will ensure training to police officers for the collection of forensic evidence.

v. The State Government shall also consider the feasibility of providing PSOs to all District Court Judges alike in Punjab and Haryana

vi. DGP, UP, shall issue directions to all District Police Chiefs, including the Commissioner of Police, to attend the monthly Monitoring Cell Meeting under the chairmanship of the concerned District Judge personally.

vii DGP shall issue directions to all investigating officers to make a query from FSLs regarding the matching of the DNA of blood found on the blood-stained weapon and cloth with the DNA of the accused and deceased, while sending the blood samples to FSLs.

viii. DGP shall issue necessary directions to all the police officers involved in the investigation to record the verified email, messaging applications (WhatsApp, Telegram and Facebook Messenger, etc.) and the mobile number of the accused and witnesses during the investigation and shall mention these verified details in the chargesheet apart from entering in CCTNS as per Rule 8 of E-Processes Rules, 2026.

ix. Police shall implement as soon as possible, using the Speech-to-Text AI module to record the statement of witnesses under Section 180 BNSS.

x. DGP shall also consider issuing DGP circular to all police officers, mentioning therein that negligence in execution of court processes may attract disciplinary proceedings as required by Rule 31 (1) of BNSS Rules, 2024.

xi. Judicial officers are also directed to send e-summons, e-warrants and other court processes as per BNSS Rules, 2024 as well as E-Processes Rules, 2026 and also consume e-FIR and e-chargesheet as per mandates of BNSS, 2023.

27. Coming back to the merits of the case, learned counsel for the applicant submitted that, as per the prosecution's story, the deceased was missing since 16.10.2025, and a missing report was also lodged by the brother of the deceased on 17.05.2025 in the form of an FIR. Thereafter, on the basis of CDR location, he was arrested on 19.10.2025, and on his pointing out, the e-rickshaw of the deceased was recovered. Thereafter, on pointing out the applicant, a blood-stained screw driver was also recovered on 20.10.2025, which was sent for FSL examination and as per the FSL report, human blood was found thereon. Learned counsel for the applicant submitted that there is no eye witness of the incident, and he has been falsely implicated merely

because of the recovery of the e-rickshaw of the deceased, as well as a blood-stained screw driver. Therefore, the applicant is entitled to be enlarged on bail during trial, as the applicant has no criminal history. A charge sheet has been filed by the police; therefore, there is no requirement for custodial interrogation. The applicant has been languishing in jail since 19.10.2025. If he is granted bail, he will not misuse his liberty and will cooperate in the trial proceedings.

28. On the other hand, learned A.G.A. for the State vehemently opposed the prayer for bail and submitted that CDR of the mobile phone of the applicant shows that he was near the place of incident on 16.10.2025 and on his pointing out e-rickshaw of the deceased was recovered on 20.10.2025 and subsequently a blood stained screw driver was also recovered on 29.10.2026 on the pointing out of the applicant and aforesaid recovery was duly videographed as per Section 105 of BNSS, therefore, the applicant is not entitled to be released on bail.

29. Considering the submissions of learned counsel for the parties and taking into account the last location of the applicant as per CDR as well as recovery of a blood-stained screw driver, which substantiates the injury found on the post mortem report of the deceased and recovery of e-rickshaw on the pointing out of the applicant, this Court is not inclined to grant bail to the applicant, at this stage.

30. Accordingly, the present bail application is **rejected**.

31. **Registrar (Compliance)** is directed to send a copy of this order to the Principal Secretary (Law)/L.R, U.P., D.G.P. U.P., Additional Chief Secretary (Home) U.P. and the Director JTRI, Lucknow.

32. The Principal Secretary (Law) is further directed to place this order before the Hon'ble Chief Minister, U.P., along with its summary for his perusal.

33. Director, JTRI is also directed to sensitise the Judicial Officers about relevant Rules of BNSS Rules, 2024 as well as E-Processes Rules, 2026 regarding generation and electronic transmission of E-summons, E-warrants and other court's processes.

May 7, 2026
A.Kr.

(Arun Kumar Singh Deshwal,J.)