



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 1056 of 1988

Brindawan and others

.....Appellant(s)

Versus

State

.....Respondent(s)

Counsel for Appellant(s)	:	Apul Misra, Sheshadri Trivedi
Counsel for Respondent(s)	:	A.G.A., S.K. Kulshrestha

Court No. - 44

HON'BLE J.J. MUNIR, J.

HON'BLE SANJIV KUMAR, J.

In paragraph nos. 190 and 191 of the impugned judgment in this appeal, there are some very serious remarks against one B.K. Bhola, one-time Superintendent of Police in the service of the State, who was posted at District Lalitpur. The remarks go to the extent that B.K. Bhola, Superintendent of Police, Lalitpur had the audacity and dare to threaten the learned Trial Judge of dragging him to the police station if he summoned certain records from the Police, certain wireless messages, or compelled the S.P. to appear as a defense witness. The learned Trial Judge did recommend departmental action against B.K. Bhola, Superintendent of Police, Lalitpur, but was kind in not making a reference to this Court for initiation of criminal contempt proceedings. However, the remarks of the learned Trial Judge in paragraph nos. 190 and 191 of the impugned judgment are so damning that these cannot be overlooked.

We do not know if B.K. Bhola, who, in all probability, would have retired by now, lives in this mortal world or not.

Let the Director General of Police, Uttar Pradesh, Lucknow file his personal affidavit, on or before 09.12.2025, indicating whether B.K. Bhola, one-time Superintendent of Police, Lalitpur is still around or not. It shall also be indicated whether he is still in service or receiving pension. In case he is still around, his complete particulars and residential address along with police station shall be furnished by the D.G.P. If there is any other report about his status, that shall also be disclosed by the D.G.P. in his affidavit. In either case, it shall be reported what action was taken

against B.K. Bhola on the basis of the directions of the learned Trial Judge carried in paragraph nos. 190 and 191 of the judgment impugned in this appeal.

These remarks came from none other than Mr. L.N. Rai, the then learned Sessions Judge, Lalitpur while writing his judgment dated 30.04.1988 in Sessions Trial No. 82 of 1986, State v. Brindawan and others, and Sessions Trial No. 105 of 1986, State v. Gaya *alias* Gaya Prasa, under Sections 147, 148, 307/149 and 302/149 of the Indian Penal Code, 1860, Police Station Narahat, District Lalitpur.

There are names of certain other officials also, but they are sundry officers and it would be another day's matter to inquire into their conduct, since the District Superintendent of Police was found by the learned Sessions Judge to have behaved like a goon and threatened the learned Trial Judge.

Adjourned to **09.12.2025**.

To be taken up in the cause list of the day.

The Registrar (Compliance) is directed to communicate this order to the Director General of Police, U.P., Lucknow **within 24 hours next**.

(Sanjiv Kumar,J.) (J.J. Munir,J.)

November 27, 2025

I. Batabyal