2026:AHC-LKO:79552-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

PUBLIC INTEREST LITIGATION (PIL) No. - 1053 of 2026

Anupriya Agarwal

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Law/Legal Remembrancer Lko. And Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Saksham Agarwal, Pranshu Agrawal, Rakesh Kumar Agarwal
Counsel for Respondent(s)	:	C.S.C., Shishir Jain

Court No. - 1

HON'BLE RAJAN ROY, J.
HON'BLE MANJIVE SHUKLA, J.

1. Heard Sri Saksham Agarwal, learned counsel for the petitioner and learned Addl. C.S.C. for the State.

2. A practicing Advocate of this Court has filed this petition seeking the following reliefs:-

"a. Issue a writ, order or direction in the nature of mandamus commanding the respondent authorities, to consider for amending/supplementing Chapter-XXII Rule-5 of Allahabad Hon'ble Court Rules 1952, so as to include a formal and effective mechanism for filing, registration, processing and notification of caveats in all criminal proceedings including Criminal Revisions, Criminal Appeals, Bail applications, anticipatory Bail Applications, petitions under Section-482 Cr.P.C. & 483 Cr.P.C. 1973, petitions under Section-528 & 529 BNSS 2023, instituted before this Hon'ble Court.

b. Issue an appropriate writ, order or direction commanding the respondent authorities to take a reasoned decision on the petitioner's representation dated 13.10.2026 within a period of 1 month, keeping in view the statutory rights of victims and informants, the requirements of fair procedure, the liberty of the accused, the expeditious administration of criminal justice and the institutional interests of this Hon'ble Court (the true copy of representation dated 13.10.2026 is contained in ANNEXURE No. 1);

c. Pass such other and further writ, order or direction as this Hon'ble Court may deem just, proper and expedient in the facts and circumstances of the present Public Interest Litigation.

d. Award the cost of the present petition in favour of the petitioner"

3. The contention of Sri Saksham Agarwal, learned counsel for the petitioner is that there is no provision in the Allahabad High Court Rules, 1952 for filing of a caveat in a criminal matter on account of which the victim's counsel whose rights are very well recognized in law is at a loss and finds it difficult to track the cases and contest the same.

4. Prima facie, the P.I.L. raises an important issue regarding access to justice and facilitating the same. It is a matter of procedure essentially. Therefore, let the petitioner's representation copy of which is annexed as Annexure no.1 to the writ petition and is addressed to Hon'ble the Chief Justice of this Court be considered by the High Court on the administrative side.

5. Accordingly, the petition is **disposed of.**

(Manjive Shukla,J.) (Rajan Roy,J.)

November 3, 2026
Shanu/-

Digitally signed by :-
SHANU SUMAN
High Court of Judicature at Allahabad,
Lucknow Bench