# Legal Case Summary: B.N. John vs The State of Uttar Pradesh (2025)

## Case Summary

Title: B.N. John vs The State of Uttar Pradesh

Citation: 2025 INSC 4

Court: Supreme Court of India – Criminal Appellate Jurisdiction

Date of Judgement: 2 January 2025

Bench: Justice B.V. Nagarathna and Justice Nongmeikapam Kotiswar Singh (Author of Judgment)

## Parties Involved

Appellant: B.N. John

Respondents: State of Uttar Pradesh & Another

## Background / Facts of the Case

B.N. John, manager of a hostel for underprivileged children run by an NGO, was accused of obstructing a government raid on the hostel. FIR No. 290 of 2015 was filed under Sections 353 (assault on public servant) and 186 (obstruction of public servant) IPC. He and his wife were arrested and later granted bail. A charge sheet was filed, and the CJM Varanasi took cognizance and issued summons. John filed a petition under Section 482 CrPC in the Allahabad High Court to quash the proceedings. It was dismissed, prompting the appeal to the Supreme Court.

## Legal Issues

1. Whether the charge under Section 186 IPC was valid without a written complaint by a public servant as required under Section 195(1)(a) CrPC.

2. Whether the FIR and evidence support a charge under Section 353 IPC, which requires allegations of assault or criminal force.

## Judgement / Holding

Cognizance under Section 186 IPC was invalid, as there was no written complaint to a Judicial Magistrate, only a letter to an Executive Magistrate. The FIR lacked allegations of assault or criminal force, hence Section 353 IPC did not apply. Witness statements introduced later (under Section 161 CrPC) claiming aggression or attack were considered afterthoughts, not supported by the original FIR. The entire criminal proceeding, including the CJM’s cognizance and summons, was held to be legally flawed.

## Judgement

The Supreme Court allowed the appeal, quashed Case No. 9790/2015 under Sections 353 and 186 IPC and set aside all orders of the CJM, Varanasi. The High Court’s order dated 22.09.2023 was also set aside.

## Case Timeline

* 03.06.2015: Alleged incident and FIR filed
* 08.06.2015: Appellant arrested and granted bail
* 20.06.2015: Chargesheet filed
* 11.08.2015: CJM Varanasi took cognizance
* 22.09.2023: Allahabad High Court rejected quashing plea
* 02.01.2025: Supreme Court allowed appeal and quashed proceedings

## Relevant Legal Provisions & Articles

* Section 353 IPC – Assault/criminal force against public servant – ruled inapplicable
* Section 186 IPC – Obstruction of public servant – invalid due to lack of complaint under Section 195 CrPC
* Section 195(1)(a) CrPC – Mandatory written complaint by public servant – not complied with
* Section 482 CrPC – Inherent powers of High Court – invoked unsuccessfully
* Article 141 – SC clarified that dismissal of SLP in limine is not a precedent

## Conclusion

The Supreme Court held that due process was not followed. There was no valid complaint for Section 186 IPC, and no prima facie case for Section 353 IPC. Hence, criminal proceedings and orders were quashed.