



2026:AHC:25708-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 1751 of 2026

Rohit Sengar

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Amarjeet Choudhary, Sangam Singh
Counsel for Respondent(s)	: G.A.

Court No. - 45

HON'BLE RAJIV GUPTA, J.
HON'BLE ACHAL SACHDEV, J.

1. Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.
2. The instant writ petition seeks quashing of the FIR dated 30.12.2025 giving rise to Case Crime No. 941 of 2025, under Section 103(1), 238 of B.N.S., Police Station-Auraiya, District- Auraiya.
3. Learned counsel for the petitioner has submitted that from the allegation made in the first information report, prima facie no offence, complained of, is disclosed against the petitioner and, as such, the instant first information report is liable to be quashed.
4. Per contra, learned AGA has submitted that from the allegation made in the first information report, prima facie offence, complained of is clearly disclosed against the petitioner and, as such, the first information report cannot be quashed in view of the law laid down by the Supreme Court in the case of **State of Telangana Vs. Habib Abdullah Jellani reported in (2017) 2 SCC 779 and Neeharika Infrastructure Pvt. Ltd. vs. State of Maharashtra and Others reported in (2021) SCC Online SC 315** and in a recent decision of the Hon'ble Apex Court in **Criminal Appeal No. 843 of 2024, Directorate Enforcement Vs. Niraj Tyagi and others.**
5. Having considered the rival submissions made by the learned counsel for the parties and taking into consideration the allegations made in the first information report and the relevant law cited by the learned AGA and the

fact that impugned first information report discloses cognizable offence, we are of the opinion that the impugned first information report cannot be quashed.

6. The prayer for quashing of the first information report is therefore, refused.

7. However, in case the petitioner files an application for anticipatory/regular bail before the appropriate court, his bail application be considered and disposed of as expeditiously as possible in accordance with law.

8. With these observations, the instant writ petition is disposed of.

February 5, 2026

KU

(Achal Sachdev,J.) (Rajiv Gupta,J.)