



2026:AHC:23594-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 759 of 2026

Satish Kumar

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Gyan Prakash Mishra, Om Shiv Pandey
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 has been filed by the petitioner with the prayer to quash the FIR dated 11.09.2025 giving rise to Case Crime No.222 of 2025, under Sections 318(4), 336(3), 338, 351(3) of BNS, 2023, Police Station Khanpur, District Bulandshahr.
3. Learned counsel for the petitioner has submitted that petitioner is wholly innocent and has been falsely implicated in the present case with ulterior motive. He next submitted that from the allegations made in the first information report, prima facie no offence, complained of, is disclosed against the petitioner and as such, the impugned first information report is liable to be quashed.
4. Per contra, learned AGA for the State has vehemently opposed the said prayer and has submitted that from the perusal of the impugned FIR, it is clear that the accused persons including the petitioner in collusion with each other have received a huge sum of money on the pretext of securing a job for Sachin Kumar/informant and it is further alleged that they had even issued a fake joining letter dated 20.12.2024 to the informant and as such, prima facie offence is clearly disclosed against the petitioner, therefore, the impugned

first information report can not be quashed in view of law laid down by the Hon'ble Apex Court in the cases of *State of Telangana Vs. Habib Abdullah Jellani reported in (2017) 2 SCC 779*, *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 learned counsel for the parties and taking into consideration the allegations made in the first information report and keeping in view the fact that the accused persons including the petitioner in collusion with each other have received a huge sum of money on the pretext of securing a job for Sachin Kumar/informant and it is further alleged that they had even issued a fake joining letter dated 20.12.2024 to the informant, as such, prima-facie offence is clearly disclosed against the petitioner. Moreover in view of the relevant law cited by learned AGA for the State and the fact that impugned first information report discloses cognizable offence against the petitioner, we are of the opinion that the impugned first information report can not be quashed, therefore, the prayer for quashing the impugned first information report is refused.

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

7. With the aforesaid observations, the instant writ petition is finally **disposed of**.

February 3, 2026
VKG

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