



2026:AHC:22942-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 769 of 2026

Jai Bahadur Sukul Sahni @ Jai Bahadur Prasad

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Nikhil Chandra Upadhyay, Ripusudan Dubey
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 07.06.2025 giving rise to Case Crime No. 170 of 2025, under Sections 419, 420, 467, 468, 471 of I.P.C., Police Station Maharajganj, District Azamgarh.
3. Learned counsel for the petitioner has 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 has submitted that from the allegations made in the first information report, 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 case 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 submission made by learned counsel for the parties and taking into consideration the allegations made in the FIR and the relevant law cited by learned AGA 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.

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

7. However in case, the petitioner moves 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.

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

February 3, 2026

Zafar

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