



2026:AHC:25076-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 1680 of 2026

Rajendra Singh

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s) : Pradeep Kumar Rai

Counsel for Respondent(s) : G.A., Harendra Pal, Prashant Pratap Rao

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, Sri Prashant Pratap Rao, learned counsel for the respondent no. 3 and perused the record.

2. The instant writ petition has been filed by the petitioner with the prayer to quash the FIR dated 08.12.2025 giving rise to Case Crime No. 547 of 2025, under Sections 61(2), 309(4), 318(4), 319(2) of BNS, Police Station- Gopiganj, District- Bhadohi.

3. Learned counsel for the petitioner has submitted that the petitioner is wholly innocent and has been falsely implicated in the instant case due to ulterior motive. It is next submitted that from the allegation made in the first information report, no offence whatsoever is disclosed against the petitioner and, as such, the impugned F.I.R. is liable to be quashed.

4. Per contra, learned A.G.A. as well as learned counsel for the respondent no. 3 has vehemently opposed the said facts and has submitted that there is specific allegation of loot of Rs.5,00,000/- against the petitioner. They have further submitted that as per the allegations made in the FIR, 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 submissions made by learned counsel for the parties and taking into consideration the allegations made in the first information report and the relevant law cited by learned A.G.A. as well as learned counsel for the respondent no. 3 and keeping in view the fact that there is specific allegation of loot of Rs.5,00,000/- against the petitioner, prima-facie cognizable offence against the petitioner is clearly disclosed, as such, 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 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.

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

February 4, 2026
KS

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