



2026:AHC:30184-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 2938 of 2026

Leela And 25 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Dubey Amit Kumar Devendra Nath, Prabhat Kumar Singh
Counsel for Respondent(s)	: Ashok Kumar Pandey, Babboo Ram, G.A.

Court No. - 45

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

1. Supplementary affidavit filed by learned counsel for the petitioners today in the Court is taken on record.
2. Heard learned counsel for the petitioners, learned A.G.A. for the State, Sri Rakesh Pandey, learned Senior Advocate assisted by Sri Ashok Kumar Pandey, learned counsel for the respondent no. 4 and perused the record.
3. At the very outset, learned counsel for the petitioners has made a statement at the Bar that petitioner nos.1, 17, 18 and 25, namely, Leela, Raju Satveer, Harendra and Gajab, have already been arrested and as such, he does not intends to press this writ petition on their behalf and as such, it may be dismissed as withdrawn.
4. In view of the statement made, the instant writ petition qua petitioner nos.1, 17, 18 and 25 is dismissed as withdrawn.
5. So far as other petitioners are concerned, the instant writ petition has been filed with the prayer to quash the F.I.R. dated 24.01.2026 giving rise to Case Crime No. 40 of 2026, under Sections 191(2), 191(3), 190, 61(2), 109, 130, 115(2), 352, 351(2), 324(2), 110 of B.N.S. and Section 7 of Criminal Law (Amendment) Act, 1932, Police Station- Dadri, District- Gautam Buddha Nagar.
6. Learned counsel for the petitioners has submitted that the petitioners are wholly innocent and have 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 petitioners and, as such, the impugned F.I.R. is liable to be quashed.

7. Per contra, learned A.G.A. as well as learned counsel for the respondent no. 4 have vehemently opposed the said prayer and submitted that the petitioners after forming an unlawful assembly has assaulted the victims by lathi, danda and iron rods, consequent to which as many as 7 persons, namely, Deshraj, Jagdish, Devendra, Virendra, Rajendra, Ajit and Shrinivas have suffered injuries and have been medically examined. Moreover, from the allegations made in the impugned first information report, prima facie offence is clearly disclosed against the petitioners, therefore, the impugned first information report can not be quashed.

8. Learned A.G.A. further placed reliance on the 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.***

9. Having considered the rival submissions made by learned counsel for the parties, the relevant law cited by learned A.G.A. and keeping in view the fact that on account of assault made by the petitioners after forming an unlawful assembly, 7 persons/victims, namely, Deshraj, Jagdish, Devendra, Virendra, Rajendra, Ajit and Shrinivas, have received injuries and have been medically examined, as such, noting the injuries and the allegations made in the impugned first information report, we are of the opinion that prima facie offence is clearly disclosed against the petitioners and as such, the impugned first information report cannot be quashed.

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

11. However, in case, the petitioner nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23 and 24 move an application for anticipatory bail/regular bail before the appropriate court, their bail

applications shall be considered and disposed of as expeditiously as possible in accordance with law.

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

February 10, 2026
KS

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