



2026:AHC:32084-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 3272 of 2026

Sonu Yadav And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Dadhi Bal Yadav, Kailash Singh
Yadav, Shishir Tripathi

Counsel for Respondent(s) : G.A.

Court No. - 45

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

1. Shri Hira Lal, Advocate has filed his vakalatnama on behalf of respondent no.4 today in Court, which is taken on record.
2. Heard learned counsel for the petitioners, learned A.G.A. for the State, Shri Hira Lal, learned counsel for the respondent no.4 and perused the record.
3. The instant writ petition has been filed by the petitioners with the prayer to quash the F.I.R. dated 05.01.2026 giving rise to Case Crime No. 0002 of 2026, under Sections 191(2), 115(2), 352, 110, 118(2), 333 of B.N.S. and Sections 3(1)(da), 3(1)(dha), 3(2)(va) of SC/ST Act, Police Station Shadiyabad, District Ghazipur.
4. Learned counsel for the petitioners has submitted that from the allegations made in the first information report, prima facie no offence, complained of, is disclosed against the petitioners and as such, the impugned first information report is liable to be quashed.
5. Per contra, learned AGA for the State as well as learned counsel for the respondent no.4 has vehemently opposed the said prayer and has submitted that on account of assault made by the accused persons including the petitioners, who are six in number, with lathi, danda and axe, as many as three victims, namely, Urmila Devi, Daya Shankar and Achchhe Lal have suffered injuries and they

have also been medically examined.

6. Learned AGA for the State as well as learned counsel for the respondent no.4 has further submitted that from the allegations made in the first information report, prima facie offence is clearly disclosed against the petitioners, 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.***

7. Having considered the rival submissions made by learned counsel for the parties and taking into consideration the fact that on account of assault made by the accused persons including the petitioners, who are six in number, with lathi, danda and axe, as many as three victims, namely, Urmila Devi, Daya Shankar and Achchhe Lal have received injuries and they have also been medically examined and further, keeping in view the allegations made in the first information report and noting the injuries received by the victims, prima facie offence is clearly disclosed against the petitioners, as such, we are of the opinion that the impugned first information report can not be quashed. The prayer for quashing the impugned first information report is therefore refused.

8. However in case, the petitioners file an application for anticipatory bail/ regular bail before the appropriate court, their bail application shall be considered and disposed of as expeditiously as possible in accordance with law.

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

February 12, 2026

Nadim

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