



2026:AHC:62363-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 5638 of 2026

Satyapal @ Satyapal Singh

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Arfi, Ram Jatan Yadav
Counsel for Respondent(s)	:	G.A.

Court No. - 48

HON'BLE RAJIV GUPTA, J.
HON'BLE DR. AJAY KUMAR-II, J.

1. Heard learned counsel for the petitioner, learned AGA for the State and perused the record.
2. The instant writ petition has been filed by the petitioner with the prayer to quash the impugned F.I.R. dated 12.2.2026 giving rise to Case Crime No. 0062 of 2026, under Sections 60/29/20/8 of N.D.P.S. Act, Police Station-Iglas, District-Aligarh.
3. Perusal of the impugned F.I.R. shows that the F.I.R. in the instant case has been registered on the basis of recovery of 490 Kg of *Ganja* and as per the allegations made therein, it is alleged that an information was received from an informer that Pushpendra, resident of Sikurra, Kripal Singh, Neeraj @ Tiger, Ravi @ Naihara, Satyapal (present petitioner) are indulging in illegal smuggling of *Ganja* loaded in a tractor and the said tractor loaded with the *Ganja* has been concealed in the gher of Pushpendra, who is also present there and may be apprehended and the contraband article could be recovered.
4. The secret information in respect of which was transmitted to C.O. Iglas and a G.D. report was drawn vide G.D. report No. 60 dated 11.02.2026 at 21.19 hours. Subsequent thereto vide G.D. report No. 61 at 21.25 the police party proceeded to recover the contraband article and search warrants u/s 41(2) of the NDPS Act was also obtained and Circle Officer proceeded towards village Sikurra alongwith the police force. Meanwhile, another information was received on mobile phone regarding illegal smuggling of *Ganja* brought from the State of Orrisa. On the said information, the police conducted the search operation and reached the suspected place where one of the accused Pushpendra was apprehended, who disclosed the name of the

petitioner Satyapal alongwith five others to be involved in the illegal smuggling of Ganja and on the pointing out of Pushpendra the alleged contraband article weighing 475 kilogram, was recovered, which was taken in possession and following the due procedure its recovery memo was prepared and on the basis of which, impugned FIR has been registered. The tractor on which the contraband article was loaded, was also taken in possession alongwith other vehicles Wagon-R, motorcycles were also recovered and its recovery memo was prepared on that basis FIR was registered u/s 18/20/29/60 of the NDPS Act.

5. Learned counsel for the petitioner has submitted that the petitioner is wholly innocent and has been falsely implicated in the present case due to ulterior motive.

6. Learned counsel for the petitioner has next submitted that from the allegations made in the impugned F.I.R., prima facie no offence, whatsoever, is disclosed against the petitioner and as such, impugned F.I.R. is liable to be quashed.

7. Per contra, learned AGA for the State has vehemently opposed the aforesaid prayer of the petitioner and has submitted that on the basis of information given by the informer, which specifically shows the involvement of the petitioner alongwith four other accused persons, huge quantity of contraband article (490 Kg of *Ganja*) in precise has been recovered and taken into the possession alongwith the vehicles and motorcycles, used for distribution of the contraband article had been taken in possession and its recovery memo has been prepared.

8. Learned AGA has further submitted that from the allegations made in the impugned F.I.R., involvement of the petitioner is writ large on the face of it and prima facie, offence is clearly disclosed against the petitioner and the matter requires deep probe and thorough investigation.

9. Learned AGA has further relied upon the decision of the Hon'ble Apex Court in the cases of ***Md. Sahabuddin & Ors. Vs. State of Assam : 2012 (119) AIC 45; Union of India Vs. Sanjeev V. Deshpande : AIR 2014 SC 3625; Hira Singh & Ors. Vs. Union of India & Ors. : AIR 2020 SC 3255; and State of Punjab Vs. Rakesh Kumar : AIR 2019 SC 84*** and in view thereof, no interference at this stage is required and the instant writ petition is also liable to be dismissed.

10. Having considered the rival submissions made by learned counsel for the parties and taking into consideration the specific allegation of the

involvement of the petitioner in smuggling of huge narcotics substance and the recovery of 490 Kg of contraband article, which has been taken into the possession by the police and due recovery memo has been prepared, clearly indicating the involvement of the petitioner in the present case, as such, we are of the opinion that prima facie, offence is clearly disclosed against the petitioner.

11. Further, keeping in view the law laid down by the Hon'ble Apex Court as discussed in the preceding paragraphs and the submissions made by learned AGA for the State and keeping in view the seriousness and gravity of the offence, we are of the opinion that the impugned F.I.R., which clearly discloses cognizable offences against the petitioner, cannot be nipped in the bud at this nascent stage, particularly looking to the huge recovery.

12. In view thereof, the prayer for quashing the impugned F.I.R. is wholly misconceived at this stage and is therefore refused.

13. The instant writ petition lacks merits and is accordingly **dismissed**.

March 25, 2026

KU

(Dr. Ajay Kumar-II,J.) (Rajiv Gupta,J.)