



2026:AHC:28197-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 29239 of 2025

Murari Yadav

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Anjani Kumar, Ashok Kumar
Gautam, Narendra Kumar Shukla
Counsel for Respondent(s) : G.A., Saurabh Dwivedi

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 Saurabh Dwivedi, learned counsel for the respondent no. 4 and perused the record.
2. The instant writ petition has been filed by the petitioner with the prayer to quash the F.I.R. dated 11.11.2025 giving rise to Case Crime No. 218 of 2025, under Section 69 B.N.S., Police Station- Kachhawa, District- Mirzapur.
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 at the relevant time, the petitioner was not present in the town and is raising plea of alibi. He has further submitted that the petitioner is married since 2023 and from the allegations made in the impugned 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. and learned counsel for the respondent no. 4 have vehemently opposed the said prayer and submitted that the petitioner is already married since 2023 and despite being a married person, he has been deceptively regularly making illicit relations with respondent no. 4 and as such, prima facie offence is clearly disclosed against the petitioner, therefore, the impugned first information report can not be quashed.
5. 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.***

6. Having considered the rival submissions made by learned counsel for the parties and the relevant law cited by learned A.G.A. and keeping in view the fact that petitioner being married since 2023 has deceptively been making illicit relations with the respondent no. 4, thus, we are of the opinion that prima facie, offence is clearly disclosed against the petitioner and as such, the impugned first information report cannot be quashed.

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

8. In view thereof, the instant writ petition lacks merits and is accordingly **dismissed**.

February 9, 2026
KS

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