



2026:AHC:43258-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD**  
**CRIMINAL MISC. WRIT PETITION No. - 4302 of 2026**

Mustakim

.....Petitioner(s)

Versus

State Of U.P. And 10 Others

.....Respondent(s)

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|---------------------------|---|-----------------------------|
| Counsel for Petitioner(s) | : | Aditya Kumar, Gaurav Pundir |
| Counsel for Respondent(s) | : | G.A.                        |

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**Court No. - 45**

**HON'BLE RAJIV GUPTA, J.**  
**HON'BLE ACHAL SACHDEV, 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 for the following relief:-

*"(i). Issue a writ order or direction in the nature of mandamus directing to the respondent nos.2 to 4 to conduct a prompt, fair, and impartial investigation in Case Crime No. 0364 of 2025, Police Station Fatehpur, District Saharanpur, otherwise petitioner shall suffer irreparable loss and injury*

*(ii). Issue a writ order or direction in the nature of mandamus directing to the respondent nos.2 to 4 that include Section 109 of the Bharatiya Nyaya Sanhita (BNS), 2023, in the investigation of Case Crime No. 0364 of 2025, Police Station Fatehpur, District Saharanpur, otherwise petitioner shall suffer irreparable loss and injury.*

*(iii). Issue a writ order or direction in the nature of mandamus directing the respondent authorities to conclude the investigation of Case Crime No. 0364 of 2025, Police Station Fatehpur, District Saharanpur, within reasonable time as fixed by this Hon'ble court otherwise petitioners shall suffer irreparable loss and injury.*

*(iv). Issue a writ order or direction in which this Hon'ble Court may deem fit and proper under the circumstances of the case.*

*(v). Award the costs to the petitioner of the petition"*

3. Learned counsel for the petitioner submits that the petitioner is the first informant in the present case and though the FIR in the instant case has been registered on 10.12.2025, yet the police is not investigating the case in fair

and impartial manner.

4. In view of the above, the petitioner may move an application before the Senior Superintendent of Police, Saharanpur, District Saharanpur highlighting his grievance and seeking fair and impartial investigation and if such an application is moved before the Senior Superintendent of Police, Saharanpur, District Saharanpur, the Senior Superintendent of Police, Saharanpur, District Saharanpur/respondent no.2 shall ensure the fair, impartial and expeditious investigation in the present case.

5. With the aforesaid order, the present petition stands **disposed of**.

**February 25, 2026**

Zafar

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