



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 3858 of 2026

Pappu And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Mohan Lal, Shiv Raj Singh
Counsel for Respondent(s)	: G.A.

Court No. - 45

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

1. Heard learned counsel for the petitioners, learned A.G.A. for the State and perused the record.
2. The instant writ petition has been filed by the petitioners with the prayer to quash the impugned F.I.R. dated 10.01.2026, arising out of Case Crime No.22 of 2026, under Sections 318(4), 140(3) of B.N.S., 2023, Police Station Tundla, District Firozabad.
3. Learned counsel for the petitioners has submitted that from the allegations made in the impugned F.I.R., no offence whatsoever is disclosed against the petitioners and as such, the impugned F.I.R. is liable to be quashed.
4. Learned counsel for the petitioners has further submitted that on the careful perusal of the impugned F.I.R., it is evident that all the sections, under which, the impugned F.I.R. has been registered, are punishable with the term upto 7 years, therefore, in case of effecting the arrest of the petitioners in pursuance of the impugned F.I.R., respondent / authorities shall ensure that the specific provisions contained in Section 35 of B.N.S.S. and the guidelines issued by the Hon'ble Apex Court in the case of **Arnesh Kumar Vs. State of Bihar** reported in (2014) 8 SCC 273 and further directions issued by the Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and Another** vide orders

dated 21.01.2025 and 15.01.2026 be strictly complied with.

5. In view of the submissions made by learned counsel for the petitioners, matter requires consideration.

6. Issue notice to opposite party No.4 returnable within three weeks.

7. Steps be taken within a week.

8. Learned AGA may also file counter affidavit within the said period.

9. Rejoinder affidavit, if any, may be filed within one week thereafter.

10. List this case on 30.04.2026, before the appropriate Bench.

11. In the meantime, since all the offences, on the basis of which, the impugned F.I.R. has been registered are punishable with the term upto 7 years, therefore, in case of effecting the arrest of the petitioners in pursuance of the impugned F.I.R., respondent / authorities shall ensure that the specific provisions contained in Section 35 of B.N.S.S. and the guidelines issued by the Hon'ble Apex Court in the case of **Arnesh Kumar Vs. State of Bihar** reported in **(2014) 8 SCC 273** and further directions issued by the Hon'ble Apex Court in the case of **Satender Kumar Antil Vs. Central Bureau of Investigation and Another** vide orders dated 21.01.2025 and 15.01.2026 be strictly complied with.

February 26, 2026
VKG

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