



2026:AHC:49464-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 3097 of 2026

Rohit Singh And Another

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Rajendra Prasad Tripathi, Sachchidanand Yadav
Counsel for Respondent(s)	: Ashutosh Pandey, G.A., Madan Lal Verma

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, Sri Ashutosh Pandey, learned counsel for respondent No. 3 and perused the record.
2. The instant writ petition seeks quashing of the FIR dated 24.1.2026 giving rise to Case Crime No. 0012 of 2026, under Sections 115(2), 352, 351(3), 118(2) of B.N.S. and Section 3(2)(v) of SC/ST (PA) Act 1989 (Amendment 2015), Police Station-Sarai Inayat, District- Ganga Nagar (Commissionerate Prayagraj).
3. Learned counsel for the petitioners has submitted that petitioners are wholly innocent and have been falsely implicated in the present case due to ulterior motive.
4. Learned counsel for the petitioners has next submitted that from the allegation made in the first information report, prima facie no offence, whatsoever, is disclosed against the petitioners and, as such, the impugned first information report is liable to be quashed.
5. Per contra, learned AGA as well as learned counsel for respondent No. 3 has vehemently opposed the said prayer and has brought on record the injury report of the victim.
6. From the perusal of the injury report, it is evident that doctor has noted the following injuries :-
 - (i) Lacerated wound 2 c.m. x 1.5 c.m. on Distal Phalanx of Right Thumb

with Missing of Half of Right Distal Phalanx of Right Thumb, Margin Irregular. Healing Start.

(ii) Linear Abrasion 1 c.m. in Length Left Side of Nose, Dark Brown Scab Present.

(iii) Abrasion 0.5 c.m. x 0.5 c.m. Just Above right Eyebrow, Brown Scab Present.

7. Learned AGA has next submitted that from the allegation made in the first information report and keeping in view the injuries noted by the doctor, prima facie offence, complained of is clearly disclosed against the petitioners and, as such, the first information report cannot be quashed in view of the law laid down by the Supreme Court in the case of **State of Telangana Vs. Habib Abdullah Jellani reported in (2017) 2 SCC 779 and 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.**

8. Having considered the rival submissions made by the learned counsel for the parties and keeping in view the fact that on account of assault made by the petitioners, informant has received serious injuries and doctor has noted as many as three injuries on the person of the victim/informant, therefore in view of the allegations made in the first information report and noting the injuries and the relevant law cited by the learned AGA and the fact that impugned first information report discloses cognizable offence, we are of the opinion that the impugned first information report cannot be quashed.

9. The prayer for quashing of the first information report is therefore, refused.

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

11. With these observations, the instant writ petition is disposed of.

March 11, 2026

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