



2026:AHC:129564-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 13130 of 2026

Vishvnath

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Pinki Singh, Rohit Singh
Counsel for Respondent(s)	:	G.A., Vinit Kumar Srivastava

Court No. - 64

HON'BLE J.J. MUNIR, J.
HON'BLE ACHAL SACHDEV, J.

1. Heard Mr. Rohit Singh, learned counsel for the petitioner, Mr. Vinit Kumar Srivastava, learned counsel for the respondent no. 4 and Mr. Deepak Kapoor, learned A.G.A. for the State.
2. This writ petition has been filed for quashing the impugned First Information Report dated 14.05.2026 registered as Case Crime No.355 of 2026, under Sections 318(4), 338, 336(3), 340(2), 351(3) B.N.S., Police Station- Faridpur, District- Bareilly, and a direction to the respondent authorities not to arrest the petitioner in pursuance of the impugned first information report.
3. Submission of the learned counsel for the petitioner is that the petitioner has been falsely implicated in the criminal case and as per the first information report, no active role has been assigned to him but in the grounds, he has himself admitted that he has advised the wife of the informant to approach Artika Enterprises who is having license and distribution or sale under the head of solar panel and the petitioner is not a beneficiary in any manner of the amount that had been diverted fraudulently after loan had been sanctioned to wife of informant and the informant has an alternative remedy before the civil court from where he can recover the amount due.
4. Per contra, learned counsel for the respondent no. 4 and learned A.G.A. submit that a cognizable offence has been made out and, therefore, no interference is warranted in the impugned first information report.

5. Perused the record.

6. The first information report was lodged against the petitioner and two other co-accused by the informant, Ram Kishore alleging that one of the co-accused, Ajit Singh, had induced his wife into installing a solar panel and had introduced her to the petitioner, Vishvnath and another co-accused, Arpit who had obtained aadhar card and pan card along with photograph of informant's wife and an application and had assured his wife that a solar panel shall be installed or cash amount shall be given to them and had fraudulently obtained loan on behalf of his wife in her name from M/s Netzero Finance Private Limited Collection amounting to Rs.3,50,000/- on 13.01.2026 and the amount of loan was then fraudulently diverted to the account of wife of one Amit Gupta but since then no solar panel had been installed nor any cash was given to the informant's wife and when the informant came to know about this incident, he enquired about it from the agent of company in regard to solar panel and the loan of Rs.3,50,000/- that had been provided to informant's wife and he had deposited the first instalment of Rs.5,800/- and thereafter, the informant spoke to Ajit Singh and the petitioner but was assured that he will return all the money back to him but, thereafter, no clear reply was given to the informant and the mobile number was switched off thereafter and a first information report was lodged by the informant against the petitioner and two other co-accused persons.

7. Perusal of record clearly shows that the wife of informant was induced into applying for loan from M/s Netzero Finance Private Limited Collection amounting to Rs.3,50,000/- for installment of solar panel on advice of the petitioner and the amount was subsequently diverted to the account of wife of one Amit Gupta but solar panels were never installed as had been assured. Hence, a clear case of commission of cognizable offence is made out as whether the petitioner was involved in a conspiracy from the very beginning to divert the loan amount and defraud informant's wife and as to whether the role of petitioner was restricted to professional advice only can be looked into only after evidence had been collected in course of police investigation.

8. Therefore, in view of the law laid down by Hon'ble Supreme Court in the case of **State of Haryana and others vs. Bhajan Lal and**

others, 1992 Supp. (1) SCC 335 and M/s Neeharika Infrastructure Pvt. Ltd. vs. State of Maharashtra, AIR 2021 SC 1918 and in Special Leave to Appeal (Crl.) No.3262/2021 (Leelavati Devi @ Leelawati & another vs. the State of Uttar Pradesh) decided on 07.10.2021, no case has been made out for interference with the impugned first information report.

9. Therefore, the writ petition is **dismissed** leaving it open for the petitioner to apply before the competent court for anticipatory bail/bail as permissible under law and in accordance with law.

June 29, 2026
KS

(Achal Sachdev,J.) (J.J. Munir,J.)