

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPCRL No. 821 of 2026</u> <u>with</u> <u>WPCRL No. 577 of 2026</u></p> <p><u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none"> 1. Mr. Lalit Sharma and Ms. Anmol Sandhu, learned counsel for the petitioner in WPCRL No. 821 of 2026 and learned counsel for the complainant in WPCRL No. 577 of 2026. 2. Mr. Vipul Sharma learned counsel for the petitioners in WPCRL No. 577 of 2026. 3. Mr. B.C. Joshi, learned A.G.A. for the State. 4. These are the two writ petitions, the first one is WPCRL No. 577 of 2026 filed by three persons namely Shashank Singh S/o Late Gyan Prakash Singh, Kunal Singh, S/o Late Gyan Prakash Singh and Prem Shankar Singh S/o Late Shri Ram Chandra Singh in which they are praying for quashing of First Information Report dated 30.03.2026 bearing FIR No. 0101 of 2026, P.S. Gadarpur Udham Singh Nagar wherein as many as four persons namely Sarvjit Singh, Veer Singh, Ravi Shankar and Gaurav were implicated for the offences punishable under Sections 103(1), 115(2) and 351(2) of BNS 2023. In this petition, it is contended that the petitioners are innocent and at the place of incident they were not present which is evident from the CCTC footage and as such no cognizable offence is made out against the petitioners and, therefore, the FIR be quashed. On 08.04.2026 this Court passed an order that let the investigation may go on, however, no coercive action shall be taken against the petitioners provided they cooperate with the investigation.

5. Subsequent thereto another petition bearing WPCRL No. 821 of 20260 has been filed by Urmila Singh wife of the deceased Sarveshwar Singh by impleading Prem Shankar Singh, Kunal Singh and Shashank Singh as party respondent no. 4 to 6 and in this petition the petitioner Urmila Singh praying for the following relief:-

(i) Issue a writ order or direction in the nature of mandamus commanding and directing the respondent no. 2 & 3 to submit the progress report before this Hon'ble Court in connection with first information report dated 30.03.2026 being FIR No. 0101 of 2026 for the offences punishable under section 103(1), 115(2) & 351(2) of Bhartiya Nyaya Sanhita, 2023, Police Station Gadarpur, District Udham Singh Nagar lodged by the petitioner against the respondent no.4 to 6 within stipulated period as this Hon'ble Court may deem fit and proper under the governing facts and circumstances of the case (contained as Annexure no.1 to this writ petition).

(ii) Issue a writ order or direction in the nature of mandamus commanding and directing the respondent authorities to conduct the fair and transparent investigation of first information report dated 30.03.2026 being FIR No. 0101 of 2026 for the offences punishable under section 103(1), 115(2) & 351(2) of Bhartiya Nyaya Sanhita, 2023, Police Station Gadarpur, District Udham Singh Nagar lodged by the petitioner within stipulated period as this Hon'ble Court may deem fit and proper under the governing facts and circumstances of the case (contained as Annexure no.1 to this writ petition).

(iii) Issue a writ order or direction in the nature of mandamus commanding and directing the respondents to conclude the Investigation keeping in mind the provision contained under section 193(3) (h)(ii) of Bhartiya Nagrik Suraksha Sanhita 2023 by taking appropriate steps against the accused persons.

6. The main contention of the learned counsel for the petitioner of WPCRL No. 821 of 2026 is that the respondent nos. 4, 5 and 6 have not been shown in the chick FIR, though according to the complainant, these three persons are the main suspect persons who are involved in this crime. Learned counsel further submits that why the complainant have mentioned that these three persons are the main suspects in respect of this crime, he bring to the notice of this Court Annexure -3 to the petition, which is the

prior intimation of the deceased Sarveshwar Singh dated 04.02.2026, which is addressed to the Chauki-In-charge of P.S. Gadarpur wherein he has given reference of receiving threat from one mobile no. 8077708886 at 11:20 p.m., and, in this complaint the deceased suspect about three persons, namely, Prem Shankar Singh and his nephew Kunal Singh and Shashank Singh who have been shown as the prime suspect in the body of the FIR. The conversation is also placed on record in a pen drive, and the learned counsel submits that the conversation is with regard to a threat prior to the incident. He submits that there is no proper investigation which is evident from the fact that prior to the incident there was a complaint with regard to threat from these persons and in the FIR these three persons have been shown as prime suspect of the incident but in the chick FIR their name has not been shown.

7. To examine why the persons who are prime suspect in the FIR have not been shown in the chick FIR, the then officer who registered the FIR was called. I.O. Sanjay Pathak who registered the FIR is present in Court any when a specific question is asked from Mr. Pathak why he has not shown the name of three prime suspect in the chick FIR, he could not give any satisfactory answer.

8. Be that as it may, admittedly the investigation is going on and the earlier I.O. is now been changed. The present I.O. Mr. Bhupendra Singh Brijwal is present in Court.

9. This Court hope and trust that he will go with fair investigation and will also investigate the conduct of these three persons who are shown as prime suspect in the body of the FIR.

10. The matter is being posted after three weeks. On that day, the learned State Counsel shall get further status of the investigation.

11. In the meantime, the interim order

passed in WPCRL No. 577 of 2026 is modified that all the three petitioners of WPCRL No. 577 of 2026 will not make any attempt to give any threatening by themselves or by any third person to the family members of the deceased. They will fully cooperate with the investigation and will report to the nearest police station on every Saturday at 10:00 a.m.

12. In addition to this, the S.H.O. concerned shall regularly assess the threat perception if any of the petitioner of WPCRL No. 821 of 2026 including her family members and if he comes to the conclusion that there is any threat he will take immediate steps and shall also apprise to the S.S.P. concerned.

13. List this case on 05.06.2026.

14. Personal appearance of all the officials are exempted.

(Rakesh Thapliyal, J.)
08.05.2026

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