



2026:UHC:4002

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>WPCRL No. 845 of 2026</p> <p><u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none">1. Mr. Saurabh Kumar Pandey, learned counsel for the petitioners.2. Mr. Tumul Nainwal, learned A.G.A. with Mrs. Sweta Badola Dobhal, learned Brief Holder for the State.3. Mr. Gaurav Singh, learned counsel for the complainant.4. By the instant petition the petitioners are praying for the following reliefs:<ol style="list-style-type: none">i. Issue a writ, order or direction in the nature of certiorari quashing the impugned First Information Report bearing FIR No. 0159/2026 dated 05.05.2026 (Annexure No. 1, page no. 10 to 15), registered at Police Station Gangnagar, District Haridwar, under sections 109, 190, 191(2), 191(3) and 351(3) of the Bhartiya Nyaya Sanhita, 2023, along with all consequential proceedings arising therefrom, including investigation, charge-sheet (if any), and further criminal proceedings, being illegal, arbitrary, mala fide, and an abuse of the process of law;ii. Issue a writ, order or direction in the nature of mandamus, restraining the respondent authorities, particularly respondent nos. 1, 2 and 3 from taking any coercive steps or measures, including arrest, detention, or any form of harassment against the petitioners in connection with the impugned FIR.5. Learned counsel for the petitioners submits that the offences as alleged in the FIR against the petitioners are punishable for upto seven years, therefore, I.O. should follow the guidelines formulated by the Hon'ble Apex Court in the case of Arnesh Kumar vs. State of Bihar (2014) 8 SCC 273.6. Learned State counsel have no objection on this and also submits that the offences as alleged are punishable for upto seven years, therefore, the I.O. concerned is under legal obligation to follow the guidelines formulated in the case of Arnesh Kumar (supra).7. In such view of the matter, the instant writ petition is disposed of finally with the direction to the I.O. concerned to follow the guidelines formulated by the Hon'ble Apex Court in the case of Arnesh Kumar



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vs. **State of Bihar** (2014) 8 SCC 273 and issue appropriate notices while conducting the investigation.

(Rakesh Thapliyal, J.)

21.05.2026

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