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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. 897 of 2026</p> <p><u>Hon'ble Rakesh Thapliyal, J.</u></p> <ol style="list-style-type: none">1. Mr. Chandramauli Shah, learned counsel for the petitioner.2. Mrs. Meenakshi Sharma, learned A.G.A. for the State.3. By the instant petition the petitioner is praying for the following reliefs:<ol style="list-style-type: none">i. Issue an order, direction or writ in the nature of certiorari quashing of First Information Report dated 12.05.2026 lodged by respondent no. 3 as FIR No. 0010/2026 under section 115(2), 351(3), 352, 74 of the Bharatiya Nyaya Sanhita 2023 & 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, P.S. Didihat, District Pithoragarh, against the petitioner (Annexure No. 1 to the writ petition page No. 11 to 18).ii. Issue an order, direction or writ in the nature of mandamus direction respondent no. 1 & 2 not to arrest the petitioner in First Information Report dated 12.05.2026 lodged by respondent no. 3 as FIR No. 0010/2026 under section 115(2), 351(3), 352, 74 of the Bharatiya Nyaya Sanhita 2023 & 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, P.S. Didihat, District Pithoragarh, against the petitioner (Annexure No. 1 to the writ petition page No. 11 to 18).4. Learned counsel for the petitioner submits that the offences as alleged in the FIR against the petitioners are punishable for less than 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 273.5. Learned State counsel have no objection on this and also submits that the offences as alleged are punishable for less than seven years, therefore, the I.O. concerned is under legal obligation to follow the guidelines formulated in the case of Arnesh Kumar (supra).6. In such view of the matter, the instant writ petition is disposed of finally with the direction to



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the I.O. concerned to follow the guidelines formulated by the Hon'ble Apex Court in the case of **Arnesh Kumar vs. State of Bihar** (2014) 8 SCC 273 and issue appropriate notices while conducting the investigation.

(Rakesh Thapliyal, J.)

19.05.2026

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