



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPCRL No.1137 of 2026 <u>Hon'ble Alok Mahra, J.</u> Mr. Bilal Ahmed and Mr. Ashok Kumar Beniwal, Advocates for the petitioners. Mr. Dinesh Chauhan and Mr. Pramod Tewari, A.G.A. for the State of Uttarakhand. 2. By means of present writ petition, petitioners seek to quash the F.I.R./Case Crime No.194 of 2026, under Section 316(4) of B.N.S., registered at Police Station Haldwani, District Nainital. 3. As per the allegations contained in the F.I.R., the petitioners were employed as salesmen at a liquor shop operated by the complainant under a valid licence for the excise year 2024–25. It is alleged that towards the close of the financial year, a physical verification of the stock was conducted through an independent person, during which a shortage of liquor stock valued at ₹38,23,390/- was detected. Upon being called upon to explain the discrepancy, the petitioners allegedly failed to furnish any satisfactory explanation and repeatedly sought additional time. It is further alleged that scrutiny of the Google Pay account of petitioner no.3 revealed substantial financial transactions. Thereafter, the statement of the bank account linked with the said Google Pay account was obtained, which allegedly disclosed receipt of an amount of ₹34,67,167/-, out of which only ₹7,12,710/- was deposited into the complainant's business account, while the remaining amount of ₹27,54,457/- was transferred to various other accounts. The F.I.R. further states that, upon being confronted, the petitioners abandoned their employment, absconded from the shop premises and switched off their mobile phones. 4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that the



		allegations levelled in the F.I.R. are wholly misconceived. It is contended that the F.I.R. has been lodged after an inordinate and unexplained delay, which casts serious doubt on the veracity of the prosecution story. Learned counsel further submits that the offences alleged against the petitioners are punishable with imprisonment which may extend to seven years and, therefore, the mandate laid down by the Hon'ble Supreme Court in <i>Arnesh Kumar Vs. State of Bihar and Another</i>, reported in (2014) 8 SCC 273, is fully applicable to the facts of the present case. It is argued that the petitioners are willing to cooperate with the investigation and there is no likelihood of their absconding or tampering with the evidence. Learned counsel for the petitioners submits that the writ petition may be disposed of with a direction to the concerned Station House Officer to follow the judgment of the Hon'ble Supreme Court, passed in '<i>Arnesh Kumar Vs. State of Bihar and Another</i>', reported in (2014) 8 SCC 273, before he proceeds to arrest the petitioners. 5. Learned State Counsel has no objection on the above submission of the learned counsel for the petitioners. 6. In view of the above, the writ petition is disposed of with a direction to the Station House Officer, Police Station Haldwani, District Nainital and the Investigating Officer to follow the guidelines formulated by the Hon'ble Supreme Court in '<i>Arnesh Kumar vs. State of Bihar and Another</i>', reported in (2014) 8 SCC 273. (Alok Mahra, J.) 17.06.2026 <i>Arpan</i>
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