



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 3449 of 2026

Anurag Dubey And Another

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ankit Tiwari, Vinay Kumar Singh

Counsel for Respondent(s) : Deeksha Dwivedi, G.A., Sandeep Pandey

Court No. - 47

HON'BLE J.J. MUNIR, J.

HON'BLE TARUN SAXENA, J.

A perusal of the impugned F.I.R. and the submission advanced shows that the allegations are *prima facie* motivated, because there is some heartburn between the informant and petitioner No.1, who are maternal uncle and nephew in that order. It is submitted that apart from the first information report being *mala fide* there is no tangible material whatsoever in support of the allegations carried in the F.I.R.

A *prima facie* case is made out.

Admit.

Issue notice.

Notice on behalf of respondent nos. 1 to 3 is accepted by Mr. Deepakh Kapoor, learned Additional Government Advocate. Notice on behalf of respondent no.4 is accepted by Mr. Sandeep Pandey.

Both the learned counsels for respondents are granted two weeks' time to file a counter affidavit.

List for **orders** on **06.04.2026** along with a report regarding service and the postal track attached. Office shall also put in a report regarding status of pleadings.

Order on Criminal Misc. Stay Application No.01 of 2026

Issue notice.

Until further orders of this Court, the petitioners, to wit, **Anurag Dubey and Madhusudan Dubey**, shall not be arrested in Case Crime No.34 of 2026, under Sections 352, 351(2) of the B.N.S., Police Station Handia, District Prayagraj.

Let this order be communicated to the Senior Superintendent of Police, Prayagraj and the Station House Officer, P.S. Handia, District Prayagraj through the learned Chief Judicial Magistrate, Prayagraj by the Registrar (Compliance) **within 24 hours**.

(Tarun Saxena,J.) (J.J. Munir,J.)

March 23, 2026

AS