



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. WRIT PETITION No. - 4841 of 2026

Somela Alias Shumaila Mohd Rashid

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Kushagra Srivastava, Shahrukh
Counsel for Respondent(s)	: Rajkranti Yadav, Aftab Alam, G.A.

Court No. - 47

HON'BLE J.J. MUNIR, J.
HON'BLE ACHAL SACHDEV, J.

This writ petition has been filed seeking to quash the first information report dated 04.10.2025 giving rise to Case Crime No. 413 of 2025 under Sections 316(5), 318(4), 351(3) B.N.S., P.S. Saraimeer, District Azamgarh.

A plain reading of the first information report shows that it arises out of a pure commercial dispute between two traders where one of them has paid the price whereas the other has not supplied goods. It is essentially a civil dispute with no criminal angle to it.

Admit.

Issue notice.

Notice on behalf of respondent nos. 1 to 3 is accepted by Mr. Shashi Shekhar Tiwari, learned Additional Government Advocate whereas that on behalf of respondent no. 4 by Mr. Aftab Alam, Advocate.

All the respondents are granted two weeks' time to file a counter affidavit.

List for **orders** on **22.04.2026** along with a report regarding status of pleadings.

Order on Criminal Misc. Stay Application No. 02 of 2026

Issue notice.

Until further orders of this Court, the petitioner, to wit, Somela Alias Shumaila Mohd Rashid shall not be arrested in connection with Case Crime No. 413 of 2025 under Sections 316(5), 318(4), 351(3) B.N.S., P.S. Saraimeer, District Azamgarh.

Let this order be communicated to the Superintendent of Police, Azamgarh and the Station House Officer, P.S. Saraimeer, District Azamgarh through the learned Chief Judicial Magistrate, Azamgarh by the Registrar (Compliance) **within 48 hours**.

April 6, 2026
KS/Zafar

(Achal Sachdev,J.) (J.J. Munir,J.)