

ITEM NO.32

COURT NO.7

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SPetition for Special Leave to Appeal (Crl.) No.6811/2026

[Arising out of impugned final judgment and order dated 06-01-2026 in CMWP No. 25468/2025 passed by the High Court of Judicature at Allahabad]

PUSHPENDRA

Petitioner(s)

VERSUS

STATE OF U.P. &amp; ORS.

Respondent(s)

(FOR ADMISSION)

(IA No. 115647/2026 - EXEMPTION FROM FILING O.T.)

Date : 24-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. Arun Kanwa, Adv.  
Mr. Rohan Wadhwa, Adv.  
Mr. Mohit Saroha, Adv.  
Mr. Adarsh Kumar Pandey, Adv.  
Ms. Dimpy Chillar, Adv.  
Mr. Varun Rawat, Adv.  
Mr. Siddharth, Adv.  
Mr. Shishant, Adv.  
Mr. Vikas Yadav, Adv.  
Ms. Srishty Pandey, Adv.  
Mr. Mukesh Kumar, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. Exemption Application is allowed.
2. The petitioner before us is the original first informant. He lodged a First Information Report dated 30th September, 2025 before the Soron Police Station, District Kasganj, State of UP, which came to be registered as Case Crime No.0512 of 2025 for the offence punishable under Sections 109(1), 127(2), 191(2), 308(5), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023, respectively (for

short, "the BNS"). The accused persons i.e. the Respondent Nos. 3 and 4 before us respectively went before the High Court by way of a Criminal Miscellaneous Writ Petition and prayed that the FIR be quashed on the ground that there was a delay of 24 days in lodging the FIR from the date of the incident.

3. The High Court accepted the contention raised on behalf of the accused persons and thought fit to quash the FIR.

4. Issue notice, returnable on 14-5-2026.

5. Dasti service, in addition, is permitted.

6. Liberty is granted to serve the Standing counsel for the State of U.P.

7. We stay the operation of the impugned order passed by the High Court.

8. Let the investigation with respect to the FIR, referred to above, proceed further in accordance with law. However, no coercive steps shall be taken against the Respondent Nos. 3 and 4 respectively till the next date of hearing.

9. We are informed that the Respondent No.3 is in judicial custody in connection with FIR No.641/2022, Police Station Kasganj, District Jail Kasganj, U.P.

10. Let Respondent No.3 shall be served through the Jail Superintendent of the District Jail, Kasganj.

(VISHAL ANAND)  
DEPUTY REGISTRAR

(POOJA SHARMA)  
COURT MASTER (NSH)