



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPCRL/ 1153/2026</u> Masoom And Anr Petitioner Versus State Of Uttarakhand Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Tajhar Qayyum, learned counsel for the petitioners. 2. Mr. Rakesh Joshi, learned A.G.A. along with Mr. Manoj Bhatt, learned Brief Holder for the State. 3. Mr. Aman Baluni, learned counsel for the complainant. 4. By means of the present writ petition filed under Article 226 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of certiorari quashing the First Information Report being Case Crime No. 0134 of 2026 dated 14.06.2026, registered under Sections 103, 109, 191(2) and 3(5) of the B.N.S. at Police Station Sehspur, District Dehradun, so far as the petitioners are concerned. A further prayer has been made for issuance of an appropriate writ, order or direction restraining the respondent authorities from arresting the petitioners in pursuance of the aforesaid F.I.R.



		5. Learned counsel for the petitioners submits that, as per the allegations contained in the First Information Report, the genesis of the occurrence is a dispute relating to water supply between the family of the informant and one Imtiyaz and his son, Samshu. He further submits that during the pendency of the present writ petition, petitioner no.2 has already been arrested by the investigating agency. Consequently, the present submissions are confined only to the case of petitioner no.1. 6. He would further submit, on instructions, that petitioner no.1 is suffering from multiple myeloma (blood cancer) and is undergoing treatment. It is also stated that, subsequent to the incident in question, the residential house of petitioner no.1 was demolished by a bulldozer and his family has been rendered homeless. Learned counsel further submits that three sons and the son-in-law of petitioner no.1 have also been arrested in connection with the present case and, as such, petitioner no.1 seeks only a short protective period to enable him to make necessary arrangements for his medical treatment and for providing shelter and care to his wife and daughter, who are presently residing with relatives. 7. Learned counsel for petitioner
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		no.1, therefore, confines his prayer to grant of reasonable time before coercive action is taken against him so that he may avail his legal remedies and make the aforesaid arrangements. 8. Per contra, learned State Counsel opposes the writ petition. However, upon instructions, he fairly submits that the State has no serious objection if a limited period of protection is granted to petitioner no.1 solely on humanitarian considerations to enable him to arrange for his medical treatment and the accommodation of his dependent family members. 9. Having considered the submissions advanced by learned counsel for the parties, and without expressing any opinion on the merits of the allegations contained in the F.I.R., this Court is of the view that the peculiar facts brought on record, particularly the serious medical condition of petitioner no.1 and the humanitarian circumstances pleaded on his behalf, justify grant of a limited protective indulgence. 10. Accordingly, purely on humanitarian considerations, it is directed that petitioner no.1 shall not be arrested in connection with Case Crime No. 0134 of 2026 till 05.08.2026. During the aforesaid period, petitioner no.1 shall be at liberty to approach the competent court seeking appropriate relief, including regular bail, if so
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			advised. In the event such an application is filed, the same shall be considered and decided by the court concerned strictly in accordance with law, without being influenced by any observation made in the present order. 11. It is made clear that the protection granted by this order is purely temporary and humanitarian in nature. The same shall automatically end to operate after 05.08.2026, and thereafter it shall be open to the investigating agency to proceed in accordance with law. It is further clarified that this Court has not examined the merits of the allegations levelled in the F.I.R., and all rights and contentions of the parties are left open. 12. Subject to the aforesaid directions and observations, the writ petition stands disposed of. 13. Pending applications, if any, stand disposed of accordingly. MAMTA (Alok Mahra, J.) 10.07.2026 Mamta A RANI
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