



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/ 1285/2026</u> Mohammad Eijaz Idrees --Petitioner Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Imran Ali Khan, learned counsel for the petitioner. 2. Ms. V.S. Pal, learned A.G.A. and Mr. Pramod Tiwari, learned Brief Holder for the State. 3. Mr. G.C.Lakhchaura, learned counsel for respondent no.3/complainant. 4. By means of the present writ petition filed under Article 226 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of certiorari for quashing the First Information Report being F.I.R. No. 0247 of 2026 dated 03.07.2026, registered under Sections 109(1), 117(2), 191(2), 191(3), 3(5), 351(3) and 352 of the B.N>S. at Police Station Jaspur, District Udham Singh Nagar. 5. Learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in the present case; that, the petitioner



		has not been named in the F.I.R. and only vague and omnibus allegations have been levelled against the accused persons; that, no specific overt act, date, time or individual role has been attributed to the petitioner; that, the petitioner's implication appears to be solely on account of his relationship with one of the co-accused; that, the F.I.R. came to be lodged after an unexplained delay of about 12 hours from the alleged occurrence, which casts doubt on the prosecution version. 6. Learned counsel for the petitioner would further submit that the petitioner was not present at the place of occurrence; that, there existed a prior financial dispute between the parties, and that the petitioner had earlier lodged an F.I.R. dated 16.04.2026 against the complainant's brother, who is stated to be the victim in the present case; that, charge-sheet has already been filed in the said case and the competent court has taken cognizance against the complainant's brother; that, the present F.I.R. is nothing but a counterblast to the earlier criminal proceedings and has been lodged with an ulterior motive to wreak vengeance, therefore, the impugned F.I.R. deserves to be quashed. 7. Per contra, learned State Counsel, on the basis of written instructions received from the Investigating Officer, would submit that the allegations levelled in the F.I.R. disclose the
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		commission of cognizable offences; that, during the course of investigation it has surfaced that the petitioner was driving a Venue car which allegedly hit the complainant's brother. The said allegation is stated to be supported by CCTV footage collected during investigation and is also corroborated by the statement of an eye-witness, who has specifically identified the petitioner as the driver of the vehicle. It is further submitted that the investigation is still in progress and the correctness or otherwise of the allegations can only be examined after completion of the investigation, therefore, no case for interference under Article 226 of the Constitution is made out at this stage. 8. Learned counsel appearing for the complainant would also submit that the material collected during investigation prima facie discloses the involvement of the petitioner. It is contended that the petition seeks appreciation of disputed questions of fact, which cannot be undertaken in the exercise of extraordinary writ jurisdiction. Accordingly, he prays for dismissal of the writ petition. 9. Heard learned counsel for the parties and perused the material available on record. 10. Having considered the rival submissions and upon perusal of the material placed before this Court, it is evident that the impugned F.I.R.
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			discloses the commission of cognizable offences. The investigation is going on. The Investigating Agency has collected material, including CCTV footage and the statement of an eye-witness, which prima facie indicates the involvement of the petitioner. The defence sought to be raised by the petitioner, including the plea of false implication, previous enmity and the existence of an earlier criminal case, involves disputed questions of fact, which cannot be adjudicated in proceedings under Article 226 of the Constitution. At this stage, this Court is not expected to undertake a meticulous examination of the evidence or record findings on the merits of the allegations. No case is made out for exercising the extraordinary jurisdiction of this Court to quash the F.I.R. at the threshold. 11. Accordingly, the criminal writ petition, being devoid of merit, is dismissed. 12. It is, however, made clear that the observations made herein are confined only to the adjudication of the present writ petition and shall not influence the investigation or the trial in any manner. The Investigating Officer as well as the Trial Court shall proceed independently in accordance with law. 13. No order as to costs. MAMTA RANI (Alok Mahra, J.) 17-07-2026 Mamta
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