2026:UHC:9870

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Criminal No.1895 of 2026
29th October, 2026

Anas .....Petitioner

Versus

State of Uttarakhand and another .....Respondents

Presence:-
Ms. Rajni Rangwal, learned counsel for the petitioner.
Mr. Sandeep Sharma, learned A.G.A. for the State.

Hon'ble Pankaj Purohit, J.

This writ petition has been filed in the nature of certiorari for quashing the FIR No.330 of 2026 dated 08.09.2026 under Sections 11, 12, 5g, 6 of POCSO Act, 2012 and Sections 115(2), 3(5), 351(3), 65(1) and 70(2) of B.N.S. 2023 registered at Police Station-Bazpur, District-Udham Singh Nagar.

2. Facts of the case as per the FIR are that complainant's 15-year old minor daughter was repeatedly subjected to forced physical relations and sexual exploitation by multiple individuals between June and August 2026. The primary accused, Ayaan, initially established contact with the victim on 11.06.2026, forcefully engaging her in physical relations, recorded an explicit video of the incident, and coerced her into physical relations with Anas. Ayaan subsequently subjected her to repeated sexual assault alongside co-accused Mudit and Rihan across multiple occasions, including at a hotel room in mid-August and again on August 24, 2026. After the victim refused to meet Ayaan's subsequent demands, he circulated the explicit video online.

3. Learned counsel for the petitioner submits that the allegations made in the FIR and the specific role attributed to the petitioner deserve consideration in light of the material available on record and the ingredients of the

alleged offences.

4. Learned counsel for the State opposes the writ petition and submits that the allegations in the FIR disclose serious and heinous offences involving the repeated sexual exploitation and gang rape of a 15-year old minor victim, as well as recording and online sharing of an explicit video. It is also submitted that the FIR covers provisions of the POCSO Act, 2012, along with Sections of B.N.S., 2023, which carry severe punishment.

5. Having considered the submissions of learned counsel for the parties and having perused the material on record, this Court finds that the allegations leveled in FIR disclose commission of grave and heinous offences involving a 15-year old minor girl, alongside circulation of explicit videos online. Settled principles of law dictate that powers under Article 226 of the Constitution of India for quashing an FIR ought to be exercised sparingly and with circumspection, only where no cognizable offence is disclosed on the face of the record. In the present case, a *prima facie* cognizable offence is clearly made out against the accused persons, and the truthfulness or veracity of the allegations is a matter of thorough investigation, therefore, no ground is made out to interfere or quash the FIR at this threshold stage.

6. The writ petition is accordingly stands dismissed.

(**Pankaj Purohit, J**.)
29.10.2026

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