SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPCRL/2159/2026 Alis Tomar --Petitioner **Versus** State Of Uttarakhand --Respondent **Hon'ble Pankaj Purohit, J.** Mr. Akshay Pradhan, learned counsel for petitioner. **2.** Mr. Tumul Nainwal, learned AGA for the State. **3**. The petitioner has filed the writ petition by challenging the FIR No. 0210 of 2026 dated 30.09.2026 under Sections 318(4), 336(3), 338 and 340(2) of BNS, 2023 registered with Police Station Basant Vihar, District Dehradun. **4**. In the first information report the allegations against the applicant are that he got admission in the M.B.B.S. Course in Sushila Tiwari Medical College, Haldwani on procuring the forged Adhar Card, dependent of Freedom Fighter Certificate and Permanent Resident Certificate of Uttarakhand. He got admission in the medical course on the basis of those allegedly forged documents. **5**. Learned counsel for the petitioner contends that petitioner has never procured the forged documents rather in order to get admission in the medical college, he was approached by counselor Mohd. Aarish and Ranjit and all the documents were prepared by them on the basis of which he got

admission in the medical college for M.B.B.S. Course. He further submits that petitioner has falsely been implicated in connection with the aforesaid crime. He is a bright student, who scored 95% marks in Class X and 97% marks in Class XII and if he would be arrested, his entire career will ruin.

6. This Court on hearing the submission of the petitioner that he has nothing to do with the creation of the forged document, had directed State Counsel to get instruction in the matter as to what active role petitioner has taken in procurement and preparation of the forged documents.

7. Learned State Counsel today on instructions submits that petitioner procured the forged Adhar Card in order to get the Permanent Resident Certificate as well as dependent of Freedom Fighter Certificate and the Adhar Card cannot be procured unless the petitioner put his thumb impression to make any change in the Adhar Card and therefore, without his complicity in the offence the document could not have been forged and prepared.

8. Learned counsel for the petitioner submits that the offence which has been alleged against petitioner reached only upto the offence under Section 337 of the BNS, 2023, in which the maximum punishment is seven years and for that reason before resorting any arrest, the applicant could be put on notice by the Investigating Officer as mentioned by Hon'ble Apex Court in the case of ***Arnesh Kumar Vs. State of***

			Bihar and Another reported in ***(2014) 8 SCC 273.*** **9.** Having heard the learned counsel for the parties and having perused the FIR as well as the documents filed in the writ petition, this Court is of the view that no case is made out for quashing the impugned FIR. In such view of the matter, no interference is warranted, so far as the quashing is concerned. However, the writ petition may be disposed of directing the Investigating Officer to look into the matter as to whether the offence under Section 338 of BNS, 2023, is prima facie made out against the petitioner or not, and if an offence is only reached to the extent of 337 BNS, 2023 the petitioner may be put on notice Section 35(3) of the B.N.S.S., 2023, before taking any coercive steps against the petitioner. **10.** In view of the above observations, writ petition is disposed of directing the Investigating Officer to look into the matter as to whether the offence under Section 338 of BNS, 2023, is prima facie made out against the petitioner or not, and if the offence is only reached to the extent of 337 BNS, 2023 the petitioner may be put on notice Section 35(3) of the B.N.S.S., 2023, before taking any coercive steps against the petitioner. **(Pankaj Purohit, J.)** 04.11.2026 Nahid