HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 27025 of 2026

Rajveer Singh @ Shahil

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Gyanendra Kumar Upadhyay, Vijay Kumar Mishra
Counsel for Respondent(s)	:	G.A.

Court No. - 48

HON'BLE CHANDRA DHARI SINGH, J.
HON'BLE TARUN SAXENA, J.

1. The present writ petition has been preferred with the following main reliefs:-

"(i) Issue a writ, order or direction in the nature of certiorari quashing the impugned First Information Report dated 25.08.2026 registered with Case crime No.0193 of 2026 under sections 281, 125(a), 125(b) of B.N.S., Police Station Gursarai, District Jhansi (Annexure No.1 to the writ petition);

(ii) issue a writ, order or direction in the nature of mandamus directing the respondent no.2 not to arrest the petitioner in First Information Report dated 25.08.2026 registered with Case crime No.0193 of 2026 under sections 281, 125(a), 125(b) of B.N.S., Police Station Gursarai, District Jhansi."

2. Learned counsel appearing on behalf of the petitioner, after some length of arguments on merits, submitted that since the maximum punishment prescribed for the offences alleged in the impugned F.I.R. is up to seven years, he confines his prayer to an innocuous relief that the police authorities may be directed to comply with the mandatory procedure as laid down by the Supreme Court in the case of ***Arnesh Kumar vs. State of Bihar*** reported in ***(2014) 8 SCC 273*** before effecting the arrest of the

petitioner.

3. Per contra, learned A.G.A. appearing on behalf of the State vehemently opposed the writ petition on merits but he has no objection to the innocuous prayer made by learned counsel for the petitioner.

4. Heard learned counsel appearing on behalf of the petitioner, Mr. Rizwan Ahmed, learned A.G.A. appearing on behalf of the State and perused the record.

5. Considering the fact that the offences as levelled in the F.I.R. are punishable with imprisonment up to seven years only, coupled with the innocuous prayer made by learned counsel for the petitioner and no objection expressed by learned A.G.A., thereto, this Court is inclined to allow the said innocuous prayer.

6. Accordingly, the writ petition is ***disposed of*** with a direction to the authorities concerned to ensure the procedure of arrest as per the guidelines of the Supreme Court enshrined in the case of ***Arnesh Kumar vs. State of Bihar*** reported in ***(2014) 8 SCC 273*** and the mandate of Section 35(3) of B.N.S.S.

(Tarun Saxena,J.) (Chandra Dhari Singh,J.)

November 5, 2026
Saurabh

Digitally signed by :-
SAURABH KUMAR
High Court of Judicature at Allahabad