IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 23rd OF JULY, 2025

WRIT PETITION No. 24701 of 2025

ANWAR QADRI

Versus

THE STATE OF MADHYA PRADESH

Appearance:

Shri Gurubani -Advocate for petitioner through VC.

Sudarshan Joshi appearing on behalf of Advocate General[r-1].

ORDER

By this petition preferred under Article 226 of the Constitution of India, the petitioner has prayed for the following reliefs:-

> *"7.1. This Hon'ble Court be pleased to Quash FIR No.799/2025 at P.S. Banganga, Indore against the Petitioner being false, motivated and fabricated;*
> *7.2. Issue a Writ of Certiorari or any other appropriate writ, order or command setting aside and declaring the public notice (dt.19.06.2025) issued by DCP Zone-03, Indore, announcing a Rs.10,000/- reward for information on the Petitioner (Mo. Anwar Kadri), declaring him absconding in FIR No.800/2025 (Dt.14.06.2025, P.S. Banganga, District: Indore Urban), as illegal and unconstitutional;*
> *7.3. Issue a Writ of Mandamus or any other appropriate writ, order or command to the Respondent directing them to present the Case Diary maintained under Section 192 BNSS in FIR No.799/2025 and FIR No.800/2025 (Dt. 14.06.2025, P.S. Banganga, District: Indore Urban), before this Hon'ble Court;*
> *7.4. Issue a Writ of Mandamus or any other appropriate writ, order or command to the Respondent to conduct a Free and Fair investigation in FIR No.799/2025 and FIR No.800/2025 (Dt.14.06.2025, P.S. Banganga, District: Indore Urban), and follow the due procedure under law or in the alternative direct the transfer of the investigation to an independent investigation agency;*
> *7.5. Issue an order or any other appropriate writ, or command to direction for an inquiry into the illegal detention of Mo. Amjad Khan and Shri. Akil Khan.*
> *7.6. Issue an order or any other appropriate writ, or command to stay the*

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investigation or prevent any coercive action against the Petitioner in respect of FIR No.799 /2025 and FIR No.800/2025 (Dt. 14.06.2025, P.S. Banganga, District: Indore Urban),

7.7. That, this Hon'ble court may further be pleased to grant any other relief, if deemed fit in the present facts and circumstances."

2. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in FIR No.800/2025 registered at Police Station Banganga, District Indore at the behest of other accused persons on being pressurized by political groups. However, the said allegation is absolutely vague and is not supported by any document on record. It has also been prayed that public notice dated 19.06.2025 issued by DCP Zone-03, Indore announcing a reward of Rs.10,000/- for information on petitioner's whereabouts by declaring him to be absconding in FIR No.800/2025 be declared illegal.

3. On a specific enquiry having been made from the learned counsel for the petitioner, he has stated that the petitioner is an accused in the said case. It is seen that he has as of now not subjected himself to investigation. On being asked as to why the same has not been done, it has been stated that the petitioner fears that he would be arrested. If the petitioner is an accused in a criminal case, then he has to necessarily subject himself to the process of investigation and he himself cannot decide that he has been falsely implicated. In case of apprehension of petitioner that he may be arrested, he certainly has other legal remedies available to him under the law but for that reason and on allegation of the case being politically motivated, neither the FIR can be quashed nor the proclamation declaring the petitioner as absconding be quashed. Admittedly, the petitioner has not taken recourse to any remedy in respect of threat to him being arrested hence it is evident that

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this petition has been preferred only for the purpose of evading arrest and securing an order in the nature of bail.

4. The petitioner has not even participated in the investigation as yet and on the contrary has been declared absconding. It is hence not open for him to contend that the investigation in the matter is not being done in a free and fair manner or that the same should be transferred to another Police Station. The petitioner can canvass grievance in this petition only in respect of himself but cannot raise any grievance in respect of other accused persons who have already been arrested in the case. Those persons can very well fend for themselves. The prayer for staying the investigation proceedings and for directing that no coercive action be taken against the petitioner by itself shows that this petition is nothing but a bail application preferred by the petitioner in the form of a writ petition which practice deserves to be deprecated.

5. Thus, in view of the aforesaid discussion, I do not find any reason to interfere in the matter. The petition is found to be devoid of any merit and is hereby dismissed.

(PRANAY VERMA)
JUDGE

jyoti

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