

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 13918 of 2023

**Petitioner :-** Nidhi Dikshit And Another

**Respondent :-** State Of U.P. And 2 Others

**Counsel for Petitioner :-** Saurabh Pathak

**Counsel for Respondent :-** G.A.

**Hon'ble Anjani Kumar Mishra,J.**

**Hon'ble Donadi Ramesh,J.**

1. Heard learned counsel for the petitioners, learned counsel for the first informant and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 30.04.2023 giving rise to Case Crime No.225 of 2023, under Sections 2(b)(i), 3 of the U.P. Gangster and Anti Social Activities (Prevention) Act, Police Station- Beta-2, District- Gautam Budh Nagar.
3. Learned AGA submits that the same FIR have been challenged by a co-accused, which writ petition has been dismissed. The order has been filed on record as Annexure No.1 to the writ petition. Since the impugned FIR has already been upheld, it is not possible to take appropriate action in the matter.
4. Moreover, the allegations made in the First Information Report clearly disclose commission of cognizable offences and the allegations are serious in nature. Therefore, prayer of the petitioners to quash the First Information Report is completely misconceived and is rejected.
5. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

**Order Date :-** 26.10.2023

Mayank