Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 13915 of 2023
Petitioner :- Avanish Kumar
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Arvind Srivastava Iii
Counsel for Respondent :- G.A.,Baleshwar Chaturvedi

Hon'ble Anjani Kumar Mishra,J.
Hon'ble Donadi Ramesh,J.

1. Heard learned counsel for the petitioner, 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 26.05.2023 giving rise to Case Crime No.1747 of 2023, under Sections 135 of Indian Electricity Act' 2003, Police Station- Anti Power Theft, Mainpuri, District-Mainpuri.

3. Upon hearing learned counsel for the parties and upon a perusal of the record, we find that the submissions made on behalf of the petitioner are his defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.

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 petitioner 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 petitioner to apply for bail/anticipatory bail.

Order Date :- 26.10.2023
Himanshu

Digitally signed by :-
HIMANSHU YADAV
High Court of Judicature at Allahabad