

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 14469 of 2023

Petitioner :- Sunil Sharma

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ram Bachan Yadav

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Supplementary affidavit has been filed in Court today is taken on record.
2. Heard Shri Ram Bachan Yadav, learned counsel for the petitioner and learned A.G.A. for the State respondents.
3. This writ petition has been filed for quashing the impugned First Information Report dated 27.07.2023 in Case Crime No.285 of 2023, under Sections 323, 504, 506, 372, 373, 376, 377.IPC, and Section 5j (ii) and 6 of POCSO Act, Police Station Sidhari, District Azamgarh.
4. Learned A.G.A. for the State-respondents submitted that the charge-sheet no.246 of 2023 has already been submitted against four accused persons on 19.08.2023. Out of five accused persons, only one accused person left in the present petition. The petitioner is the main accused is absconding and is not cooperating in the present petition, therefore, the charge sheet cannot be quashed, in part.
5. Learned AGA on the basis of instructions received has pointed out that the date of birth of the victim is 16.11.2007 as recorded and has supported the prosecution version.
6. In view of the above, we do not find any good ground to show interference in the present matter.
8. Accordingly, the writ petition stands dismissed.

Order Date :- 2.11.2023

RKM