

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 15220 of 2023

Petitioner :- Rajesh Kumar Giri Alias Rajesh Giri And Another

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

Counsel for Petitioner :- Uttar Kumar Goswami

Counsel for Respondent :- G.A., Ram Chandra Uttam

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

This petition has been filed with the prayer to quash the First Information Report in Case Crime No. 302 of 2023. Allegation in the F.I.R. is with regard to manufacturing fake documents. It is contended that no adverse material has been collected during investigation against the petitioners as such, there is no occasion to proceed against the petitioners in the matter. Learned AGA points out that charge-sheet has been submitted against some of the accused persons.

We have perused the First Information Report, which prima-facie contains allegation with regard to commissioning of cognizable offence. Charge-sheet has also been submitted against some of the co-accused. In that view of the matter, the F.I.R. cannot be quashed. What exactly is the material against the petitioner to proceed in the matter, is an aspect to be examined at the stage of investigation.

Leaving all issues open for examination in the proceedings for investigation/trial, this petition instituted with the prayer to quash the F.I.R. is **dismissed**.

Order Date :- 2.12.2023

SP/-