

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 14870 of 2023

Petitioner :- Vaibhav Prakash Asthana And Another

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

Counsel for Petitioner :- Vijaya Srivastav

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

Heard learned counsel for the petitioners and learned A.G.A. for the State.

The instant writ petition seeks quashing of the FIR dated 18.7.2023 giving rise to Case Crime No. 266 of 2023, under Section 34, 323, 504, 506 I.P.C., P.S. Sidhari, District Azamgarh.

The only contention of learned counsel for the petitioners is that the petitioners were not present on the spot at the time of the alleged incident.

The submission, made on behalf of the petitioners, is basically their defence which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.

The writ petition is therefore **dismissed**, without prejudice to the right of the petitioners to apply for bail/anticipatory bail because there are at least two head injuries on the person of Vikesh Yadav.

Order Date :- 13.12.2023

Vandana