

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 15342 of 2023

**Petitioner :-** Mathura Prasad @ Mathura Pandey

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

**Counsel for Petitioner :-** Mithilesh Kumar Shukla, Sudhir Kumar Shukla

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

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

**Hon'ble Arun Kumar Singh Deshwal, J.**

1. Heard learned counsel for the petitioner and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 24.05.2023 giving rise to Case Crime No.0290 of 2023, under Sections 307 I.P.C., Police Station- Govardhan, District- Mathura.
3. We have perused the video clips called for by orders passed earlier. The IO is present to identify the persons who were seen in the alleged incident.
4. It is clear from the video clips that an altercation took place and firing has also taken place. Several persons can be seen in the video clips carrying illicit arms. Prima facie, the allegations in the first information report are borne out from the video clips.
5. For this reason and also because the allegations in the first information report contain the ingredients of a cognizable offence, the first information report cannot be quashed.
6. The writ petition is therefore dismissed, without prejudice to the right of the petitioner to apply for bail/anticipatory bail.
7. The CD is handed back to the learned AGA.

**Order Date :-** 5.12.2023

Aditya Tripathi