

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 15564 of 2023

Petitioner :- Sanjay Patel (Minor)

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

Counsel for Petitioner :- Subhash Chandra Tiwari

Counsel for Respondent :- G.A., Shakti Shanker Tiwari

Hon'ble Vivek Kumar Birla, J.

Hon'ble Vinod Diwakar, J.

1. Heard Shri Subhash Chandra Tiwari, learned counsel for the petitioner and learned AGA for the State.
2. The present writ petition has been preferred with the prayer to quash the impugned First Information Report dated 21.08.2023 registered as Case Crime No. 298 of 2023, under Section 363, 376 IPC and 5 and 6 POCSO Act, P.S. Ghoorpur, District Prayagraj, and for a direction to the respondents not to arrest the petitioner in pursuance of impugned First Information Report.
3. Learned counsel for the petitioner submits that petitioner has already been arrested in the present case.
4. Learned AGA submits that during investigation statement of the victim recorded under Section 164 Cr.P.C. in which provision of Section 376 IPC and 3/4 POCSO Act have been added.
5. Accordingly, the present petition is dismissed.

Order Date :- 18.10.2023

Ujjawal