

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 15680 of 2023

Petitioner :- Kamlesh Kumar

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Amit Shukla

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard learned counsel for the petitioner Sri Ratan Singh, learned AGA for the State and perused the record.

2. This writ petition has been filed praying to quash the first information report No. 0001 dated 6.1.2022, registered under Section 3420,466, 467, 468, 471 IPC, P.S. Bargarh, District Chitrakoot and not arrest the petitioners pursuant to the said FIR.

3. We find that three writ petitions have already been filed for the same cause of action by co-accused i.e. (1) Criminal Misc.Writ Petition No. 661 of 2022 (Munni Devi and another Vs. State of UP and of others), (2)1017 of 2022 (RamKmar Vs. State of UP and others) and (3) 17540 of 2022 (Ramshankar Mishra @ Ram Shankar Vs. State of UP and others) and out of which two of the writ petitions namely Writ Petition No. 661 of 2022 and 1017 of 2022 were dismissed on merits and one Writ Petition No. 17540 of 2022 was disposed o by this Court. The order passed on 4.2.2022 in Criminal Misc.Writ Petition No. 661 of 2022 (Munni Devi and another Vs. State of UP and of others) is quoted below.

"Heard learned counsel for the petitioners and learned AGA for the State.

The instant writ petition seeks quashing of the impugned F.I.R. dated 06.01.2022 giving rise to case Crime No.1 of 2022 under Sections420, 466, 467, 468, 471 I.P.C., Police Station Bargad, District Chitrakoot.

Upon hearing learned counsel for the parties and upon perusal of the impugned F.I.R., we find that the allegations made in the First Information Report clearly disclose commission of cognizable offences and the allegations are serious in nature, therefore, prayer of the petitioners to quash the First Information Report is completely misconceived and is rejected.

The writ petition is therefore without merit and is dismissed without prejudice

to the rights of the petitioner to apply for bail / anticipatory bail."

4. After hearing learned counsel for the parties, we find no ground to take a different view as has already been taken by this Court dismissing the aforesaid criminal writ petitions.

5. In view of above, the present writ petition stands dismissed.

Order Date :- 13.10.2023

S.K.S.