

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16145 of 2023

Petitioner :- Pappu Bular @ Mohd Arif And Another

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

Counsel for Petitioner :- Rajeshwar Mishra

Counsel for Respondent :- G.A.,Manoj Kumar Srivastava

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Heard learned counsel for the petitioners, learned A.G.A. appearing for the State-respondents and perused the record.

The petitioner, by means of this writ petition under Article 226 of the Constitution of India, has invoked the inherent jurisdiction of this Court with prayer to quash the impugned First Information Report dated 18.08.2023 registered as Case Crime No. 0564 of 2023, under Sections 147, 307, 504, 506 I.P.C., Police Station Bahedi, District Bareilly.

Learned counsel for the petitioners admitted that there are cross cases for the same incident. Cross first information reports have been lodged and both sides have sustained injuries. It is not possible to decipher at this stage that which group was aggressor.

Accordingly, the prayer for quashing the FIR is declined and refused.

However, it is open for the petitioners, if so advised, in case they appear before the court concerned and apply bail application within ten days, the same shall be considered and decided in accordance with law.

It is also made clear that the Court is not expressing any opinion on the merits of the case. The court concerned is expected to apply its robust and judicial discretion in deciding the anticipatory bail application as early as possible.

With the above observation, the writ petition is **disposed of**.

Order Date :- 12.10.2023

Rmk.