

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 15727 of 2023

Petitioner :- Govind Singh (Yadav)

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

Counsel for Petitioner :- Sheetal Prasad Chakravorty

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard Shri Sheetal Prasad Chakravorty, learned counsel for the petitioner and Shri Vivek Shukla, State Law Officer for the respondents.

2. The present writ petition has been filed challenging the impugned F.I.R. dated 17.08.2023, registered as Case Crime No. 0365 of 2023, under Sections 420, 467, 468, 471 IPC, Police Station Panki, District Kanpur Nagar.

3. Submission of learned counsel for the petitioner is that after illegally seizing the truck by the police, the impugned FIR was registered on the basis of untrue facts. The counsel further submits that the petitioner has already deposited Rs. 23,500/- against the seized truck. The counsel further submits that truck were seized on different dates, even though the truck shown to be seized by the police on 13.08.2023.

4. *Per contra*, learned AGA submits that petitioner is habitual offender and by making alteration on chasis number of trucks, he was plying two trucks on a same registration number causing financial loss to the State.

5. Perusal of the impugned First Information Report, *prima facie*, reveals commission of cognizable offence. There are allegation of alteration in chasis number of trucks by the petitioner. The investigation is at the initial stage, no good ground have been shown by the counsel for the petitioner to attract the law laid down by Hon'ble Supreme Court in the case of **State of Haryana and others vs. Bhajan Lal and others, 1992 Supp. (1) SCC 335**. No case has been made out for interference with the impugned First Information Report, at this stage.

6. The writ petition is dismissed leaving it open for the petitioner to avail remedies, as per law.

Order Date :- 13.10.2023

Ujjawal