

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16307 of 2023

Petitioner :- Sukumar Sarkhel

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

Counsel for Petitioner :- Vinay Dubey

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

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

By means of this writ petition under Article 226 of the Constitution of India, the petitioner is assailing the legality and validity of the FIR dated 08.07.2023 registered in Case Crime No. 177 of 2023, under Sections 419, 420, 467, 468, 471, 406, 504 IPC, P.S. George Town, District Allahabad/Prayagraj.

Upon hearing learned counsel for the parties and upon a perusal of the record, we are of the considered opinion that the cognizable offence is made out against the petitioner and there is no occasion or reason to quash the FIR in exercise of power conferred under Article 226 of the Constitution of India.

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

However, it is open for the petitioner, if so advised, he shall move proper anticipatory bail application before the appropriate forum, within ten days from today.

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 within 15 days.

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

Order Date :- 16.10.2023

Vikram