

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 16065 of 2023

Petitioner :- Shipra Tiwari

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

Counsel for Petitioner :- Chandra Prakash Misra, Ambikesh Dhar Dubey

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla, J.

Hon'ble Vinod Diwakar, J.

1. Heard Shri Chandra Prakash Misra, learned counsel for the petitioner, Shri Rajesh Khare, learned A.G.A. for the State-respondents and perused the record.

2. The relief sought in this petition is for quashing of the First Information Report dated 27.09.2023 registered as Case Crime No. 697 of 2023, under Section 3(1) of U.P. Gangsters and Anti-Social Activities (Prevention) Act, 1986, P.S. Cantt, District Gorakhpur.

3. Submission of the learned counsel for the petitioner is that the provisions of gangster act have been invoked only on the basis of two cases. In the FIR the informant and the petitioner's husband are business partner. The petitioner being a lady is not at all concerned with the allegations, if any, levelled against her husband and she has been falsely implicated only because she is wife of Rajeev Tiwari.

4. Per contra, learned A.G.A. submitted that there are two cases of identical nature and are of the different years and a cognizable offence is made out and the allegations are that the gang leader

present himself as PCS officer and is engaging in illegal activity of which the petitioner herein is having active participation.

5. In view of the above, we do not find any good ground to show interference in the present matter.

6. Accordingly, the writ petition stands dismissed.

Order Date :- 30.10.2023

A. Tripathi