

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16482 of 2023

Petitioner :- Smt.Ujala Devi And 4 Others

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

Counsel for Petitioner :- Himanshu Kumar,Pushpendra Vishvakarma

Counsel for Respondent :- G.A.,Devendra Mani Tiwari,Shiv Charan Tripathi

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Vivek Kumar Singh,J.

Heard learned counsel for the petitioners, learned counsel for the first informant and learned A.G.A. for the State.

The instant writ petition seeks quashing of the FIR dated 7.4.2023 giving rise to Case Crime No.67 of 2023, under Sections 363, 366, 504 and 506 I.P.C., Police Station-Sujanganj, District- Jaunpur.

The impugned first information report is one under Sections 363, 366 I.P.C. apart from other sections. It is alleged that the victim was aged about 17 years on the date of incident.

According to learned A.G.A. is minor as borne out from Class-IX certificate annexed as annexure-2 to this writ petition.

Under these circumstances and since the allegation in the first information report prima facie borne out from the material filed on record clearly disclose commission of cognizable offences, therefore, no interference is required to be made. Therefore, prayer of the petitioner to quash the First Information Report is completely misconceived and is rejected.

The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 6.11.2023

Dev/-