

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16135 of 2023

Petitioner :- Amanulla Khan And 7 Others

Respondent :- State Of Up And 2 Others

Counsel for Petitioner :- Satya Prakash Maurya

Counsel for Respondent :- G.A.,Mohd. Aslam

Hon'ble Rahul Chaturvedi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Heard learned counsel for the contesting parties, 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 petitioners are assailing the legality and validity of the FIR dated 20.05.2023 registered as Case Crime No. 0290 of 2023, under Sections 420, 467, 468, 471 I.P.C. P.S. Deoband, District Saharanpur.

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 petitioners 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 petitioners, if so advised, he shall move proper anticipatory bail application before the appropriate forum, within **15 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 as early as possible.

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

Order Date :- 18.10.2023

Israr