

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16253 of 2023

Petitioner :- Aman Alias Mukarram

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

Counsel for Petitioner :- Divyansh Rai

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Shiv Shanker Prasad,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 02.09.2023 giving rise to Case Crime No.0437 of 2023, under Sections 306 I.P.C., Police Station- Katghar, District-Moradabad.

The contention of learned counsel for the petitioner is that nobody has seen the incident and the first information report is concocted.

The allegations in the FIR clearly contains the ingredients for cognizable offence and the Court dealing with the writ petition seeking quashing of the FIR is not required to examine as to whether the allegations therein are correct or not. The only requirement is to examine as to whether the allegation constitutes a cognizable offence which, in this case, the allegations certainly do.

The writ petition is, therefore, dismissed.

Order Date :- 13.10.2023

Himanshu