

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16505 of 2023

Petitioner :- Mahesh Gautam @ Mahesh Chandra And 4 Others

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

Counsel for Petitioner :- Dharmendra Pratap Singh Chauhan

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Vivek Kumar Singh,J.

1. Heard learned counsel for the petitioners, learned counsel for the first informant and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 26.09.2023 giving rise to Case Crime No.351 of 2023, under Sections 498-A, 304-B I.P.C. and Section 3/4 Dowry Prohibition Act, Police Station- Rawatpur, District- Kanpur Nagar.
3. Upon hearing learned counsel for the parties and upon a perusal of the record, we find that the submissions made on behalf of the petitioners are his defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.
4. Moreover, the allegations made in the First Information Report clearly disclose commission of cognizable offences and the allegations are serious in nature. Therefore, prayer of the petitioners to quash the First Information Report is completely misconceived and is rejected.
5. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 18.10.2023

Mayank