

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16898 of 2023

Petitioner :- Mohammad Sameer

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

Counsel for Petitioner :- Ansar Ahmad

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Shekhar B. Saraf,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 21.9.2023 giving rise to Case Crime No.265 of 2023, under Section 3(1) of the U.P. Gangster and Ante Social Activities (Prevention) Act, 1986, Police Station Kotwali, District Etawah.
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 petitioner 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 petitioner 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 petitioner to apply for bail

Order Date :- 17.11.2023

Rakesh