

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16710 of 2023

Petitioner :- Mohammad Ahmad @ Mamma

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

Counsel for Petitioner :- Sanjay Pratap Singh, Shweta Singh

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Vivek Kumar Singh, 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 07.10.2023 giving rise to Case Crime No.378 of 2023, under Sections 3/5A/8 of Cow Slaughter Act, Police Station- Maharajpur, District- Kanpur Nagar.

3. The contention of learned counsel for the petitioner is that the first information report is concocted. He is not concerned with the goods which are stated by co-accused to be meant for him. It is also contended that the petitioner is a cancer patient.

4. 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.

5. 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.

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

Order Date :- 1.11.2023

Aditya Tripathi