

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16761 of 2023

Petitioner :- Mahendra Baudh

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

Counsel for Petitioner :- Ram Surat Patel

Counsel for Respondent :- G.A., Satish Kumar Mishra

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Mohd. Azhar Husain Idrisi, J.

1. Heard learned counsel for the petitioner, 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 07.10.2023 giving rise to Case Crime No.0796 of 2023, under Sections 420, 467, 468, 471, 506, 388, 406 IPC, Police Station-Kotwali, District-Lalitpur.
3. The contention of the learned counsel for the petitioner is that the FIR is highly belated. The educational records of the informant show that he does not deserve a job and, therefore, there was no justification for the petitioner to have accepted money and to have provided a forged appointment letter to the informant's son.
4. Be that as it may, the submission 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 primarily are that a sum of Rs.12 lacs were received by the petitioner and in lieu thereof an appointment letter was also given which on verification was found to be forged. These allegations 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 :- 27.10.2023/Himanshu