

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16798 of 2023

Petitioner :- Smt. Sursatti Devi and another

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

Counsel for Petitioner :- Rajiv Kumar Singh

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

Heard learned counsel for the petitioners and learned A.G.A. for the State.

The instant writ petition seeks quashing of the FIR dated 7.9.2023 giving rise to Case Crime No. 297 of 2023, under Sections 3 & 7 of Essential Commodities Act, 1955, Police Station Badagaon, District Gomti (Commissionerate Varanasi).

The only contention of the learned counsel for the petitioners is that offences alleged in the first information report, all carry a sentence of less than 07 years.

Learned counsel for the petitioners has not been able to produce any case law which provides that an FIR in cases carrying a sentence of less than 07 years is liable to be quashed.

Since the allegations made in the First Information Report clearly disclose commission of cognizable offences, the writ petition fails and is dismissed.

Order Date :- 27.10.2023

M. Tarik