

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 16996 of 2023

Petitioner :- Akhilesh Kumar Yadav

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

Counsel for Petitioner :- Sharad Kumar Srivastava

Counsel for Respondent :- G.A., Somendra Singh

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard learned counsel for the petitioner, Mr. Somendra Singh, 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 23.08.2022 giving rise to Case Crime No. 389 of 2023, under Sections 419, 420, 467, 468, 471, 506 I.P.C., Police Station- Rasra, District- Ballia.

3. The allegation in the first information report is that a sale deed was got executed ostensibly by one Mohd. Shoeb by setting up any impostor.

4. In this regard learned AGA was directed to obtain instruction and to verify the photographs of vendor on the sale deed filed as Annexure No.2 to the writ petition.

5. Today on the basis of instructions received, learned AGA has pointed out that the photograph on the sale deed is not that of Mohd. Shoeb who had already died in the year 2019 but of some other person. Even the details of the Aadhar are of some another person.

6. Under the circumstances, the allegations in the first information report are prima facie correct.

7. 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.

8. The writ petition is therefore dismissed.

Order Date :- 20.11.2023/Arti