

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 16987 of 2023

Petitioner :- Abdul Wahab And 3 Others

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

Counsel for Petitioner :- Sanjay Kumar Pal

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Hon'ble Anish Kumar Gupta,J.

Heard Sri Sanjay Kumar Pal, learned counsel for the petitioners and and learned A.G.A. for the State.

By means of the present criminal writ petition, the petitioners are challenging the legality and validity of the F.I.R. dated 26.09.2023 registered as Case Crime no. 282 of 2023 under Sections 147, 148, 149, 452, 323, 353, 336, 504, 506, 427, 436 I.P.C and Section 7 of Law Criminal Amendment Act, P.S.- Saidnagli, District- Amroha.

After reading the entire FIR carefully, we are of the considered opinion that cognizable offence is made out against the petitioners and there is no reason or occasion to quash the F.I.R. in exercise of power under Article 226 of the Constitution of India. Hence, the prayer for quashing the F.I.R. is hereby declined and accordingly rejected.

However, if so advised, the petitioner may file anticipatory bail before appropriate forum for redressal of their grievance within next ten days from today.

However, it is made clear that the Court is not expressing any opinion on the merits of the case, learned court concerned is expected to apply its robust judicial discretion in deciding the anticipatory bail as early as possible.

With this observation, the present writ petition is hereby ***disposed of.***

Order Date :- 6.11.2023

Shubham Arya