

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 17211 of 2023

Petitioner :- Aditya Rai

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

Counsel for Petitioner :- Deepak Kumar Tripathi

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard Sri Deepak Kumar Tripathi, learned counsel for the petitioner and learned A.G.A for the State respondents.
2. The relief sought in this petition is for quashing of the F.I.R. dated 13.10.2023, registered as Case Crime No. 0674 of 2023, under Sections 364, 504, 506, 120B IPC and Section 3 (2)(v), 3 (1)(r), 3 (1)(s) SC/ST Act, Police Station Dhanghata, District Sant Kabir Nagar Further prayer has been made not to arrest the petitioner in the aforesaid case.
3. During course of arguments, although learned counsel for the petitioner sought to challenge the impugned FIR, however, during course of investigation, it is admitted that informant and the victim both have been arrested and sent to jail.
4. In this background, we do not find any good ground to exercise our power under Article 226 of the Constitution of India. Even otherwise, on perusal of the impugned FIR, we find that a cognizable offence is made out.
5. In such view of the matter, the writ petition is dismissed.

Order Date :- 22.11.2023

Abhishek