Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17454 of 2023

Petitioner :- Sushil Kumar
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Prasoon Kumar
Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.
Hon'ble Arun Kumar Singh Deshwal,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 14.09.2023 giving rise to Case Crime No.0222 of 2023, under Sections 147, 148, 452, 323, 354(b), 506 I.P.C. and Section 7/8 of Protection of Children From Sexual Offences Act, 2012, Police Station- Magorra, District- Mathura.

3. Upon hearing learned counsel for the parties and upon a perusal of the record, we find that the submissions 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.

4. 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.

5. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

6. This order has been passed in the presence of Shri Sushil Kumar Pandey, Advocate who has filed his appearance on behalf of the respondent no.4.

Order Date :- 29.11.2023
Mayank

Digitally signed by :-
MAYANK KUMAR SHARMA
High Court of Judicature at Allahabad