

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17329 of 2023

Petitioner :- Anupam Mishra And 3 Others

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

Counsel for Petitioner :- Diwakar Mishra

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Vivek Kumar Singh,J.

1. Mr. Vinod Kumar Singh, learned Advocate has filed Vakalatnama and counter affidavit on behalf of the respondent No. 4, are taken on record.
2. Heard learned counsel for the petitioners, learned counsel for the informant and learned A.G.A. for the State.
3. The instant writ petition seeks quashing of the FIR dated 29.06.2022 giving rise to Case Crime No. 0382 of 2022, under Sections 354, 323 I.P.C., Police Station- Nawabganj, District- Prayagraj.
4. Upon hearing learned counsel for the parties and upon a perusal of the record, we find that the submissions made on behalf of the petitioners are his defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.
5. 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 petitioners to quash the First Information Report is completely misconceived and is rejected.
6. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 6.11.2023

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