

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17498 of 2023

Petitioner :- Kasim

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

Counsel for Petitioner :- Devesh Kumar Shukla, Dharmesh Kumar Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Vivek Kumar Singh, J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

The writ petition seeks quashing of the FIR dated 10.10.2023 giving rise to Case Crime No. 0298 of 2023, under Section 2(b) (i)/3 of the U.P. Gangsters and Anti Social Activities Prevention Act, P.S. Jewar, District Gautam Budh Nagar.

The submission of counsel for the petitioner is that the FIR is vitiated as Rules 5 & 16 of the U.P. Gangsters and Anti-Social Activities (Prevention) Rules have not been complied.

No foundation for such argument is to be found in the writ petition. Hence, the same cannot be accepted.

Upon hearing learned counsel for the parties and upon a perusal of the record, we find that the allegations contained therein constitute the ingredients of a cognizable offence. The FIR therefore cannot be quashed.

The writ petition is therefore dismissed without prejudice to the rights of the petitioner to apply for bail.

Order Date :- 8.11.2023

Mayank