

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 18274 of 2023

**Petitioner :-** Smt Mashuma And Another

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

**Counsel for Petitioner :-** Virat Pratap Singh, Avaneesh Kumar Upadhyay

**Counsel for Respondent :-** G.A.

**Hon'ble Anjani Kumar Mishra, J.**

**Hon'ble Arun Kumar Singh Deshwal, J.**

Heard learned counsel for the petitioners and learned A.G.A. for the State and perused the record.

The instant petition seeks quashing of the impugned F.I.R. dated 04.09.2023 giving rise to Case Crime No. 740 of 2023, under Section 363 IPC, Police Station Loni, District Ghaziabad.

The contention of learned counsel for the petitioners is that he is not named in the first information report.

In our considered opinion, since, the petitioners is not named in the first information report, he has no locus to file this writ petition.

In case, his name has come to light during investigation, it is evidence which may have been collected during investigation that would not render the first information report liable to challenge.

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

**Order Date :-** 23.11.2023

Aditya Tripathi