

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17438 of 2023

Petitioner :- Kanchan @ Kanchanmani Rajbhar And Another

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

Counsel for Petitioner :- Guddoo Kumar, Manoj Kumar

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Vivek Kumar Singh, J.

1. Heard learned counsel for the petitioners and learned A.G.A. for the State and perused the record.
2. The instant petition seeks quashing of the impugned F.I.R. dated 15.10.2023 giving rise to Case Crime No. 0439 of 2023, under Section 363 I.P.C., Police Station Mehnagar, District Azamgarh.
3. The contention of learned counsel for the petitioners is that petitioners are not named in the first information report.
4. In our considered opinion, since, the petitioners are not named in the first information report, they have no locus to file this writ petition.
5. In case, their name have 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.
6. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/ anticipatory bail.

Order Date :- 8.11.2023

SY