

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17685 of 2023

Petitioner :- Adil

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

Counsel for Petitioner :- Vinod Singh,Rajendra Prasad

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Vivek Kumar Singh,J.

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

2. The instant writ petition seeks quashing of the FIR dated 20.09.2023 giving rise to Case Crime No.333 of 2023, under Sections 323, 342, 354, 452, 376, 504, 506 I.P.C., Police Station- Swar, District- Rampur.

3. The contention of the learned counsel for the petitioner is that a false and fabricated FIR has been lodged after the brother of the petitioner served a notice for divorce upon the informant.

4. It is also submitted that an earlier complaint containing similar allegations against the petitioner culminated in a final report in favour of the petitioner.

5. Upon hearing learned counsel for the petitioner and learned AGA and upon a perusal of the FIR, we find that it contains serious and direct allegations against the petitioner, which constitute a cognizable offence. The submissions that have been made by learned counsel for the petitioner at the bar are his defence, which cannot be looked into.

6. Under the circumstances, the writ petition is dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 9.11.2023

Mayank