

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17682 of 2023

Petitioner :- Aditya Mani Mishra And 3 Others

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

Counsel for Petitioner :- Virendra Singh Parmar, Arvind Singh Parmar

Counsel for Respondent :- G.A., Chandra Prakash Tiwari

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard learned counsel for the petitioners, learned counsel for the first informant and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 16.09.2023 giving rise to Case Crime No.09 of 2023, under Sections 498A, 323, 504, 506 I.P.C. & 3/4 Dowry Prohibition Act, 1961, Police Station- Mahila, District-Mahoba.
3. Learned AGA has pointed out that there are injuries on the person of the minor including an injury on the head and the spinal cord.
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 :- 29.11.2023

Anjali