

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 17924 of 2023

**Petitioner :-** Shyam Narayan Singh

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

**Counsel for Petitioner :-** Rahul Srivastava, Ankit Srivastava

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

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

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

1. Heard learned counsel for the petitioner 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 06.05.2006 giving rise to Case Crime No. 48-Ka of 2006, under Section 409, 419, 420, 467, 468, 471, 201, 120-B & 34 IPC, Police Station Garwar, District Ballia.
3. The contention of learned counsel for the petitioner is that he is not named in the first information report.
4. In our considered opinion, since, the petitioner is not named in the first information report, he has no locus to file this writ petition.
5. 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.
6. The writ petition is therefore dismissed, without prejudice to the right of the petitioner to apply for bail/ anticipatory bail.

**Order Date :-** 20.11.2023

Himanshu