

Court No. - 67

Case :- CRIMINAL MISC. WRIT PETITION No. - 17933 of 2023

Petitioner :- Golu Yadav (Minor) And 2 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Awadhesh Kumar Malviya, Sanjeev Singh

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi, J.

Hon'ble Syed Qamar Hasan Rizvi, J.

Heard learned counsel for the petitioners and learned AGA for the State. Perused the record.

Present writ petition has been filed by the petitioners, praying for quashing of the First Information Report dated 22.9.2023, registered as Case Crime No.265 of 2023, under Section 307 I.P.C., P.S. -Lar, District -Deoria with a further prayer to stay their arrest during pendency of investigation of the said case.

Learned counsel for the petitioners has raised number of submissions as his defence, which cannot be appreciated at this nascent stage. We have gone through the allegations in the First Information Report and we find that the same clearly discloses commission of a cognizable offence. Consequently, we are not inclined to quash the impugned First Information Report.

However, if the petitioners are advised, they may invoke the provisions of Section 438 of Cr.P.C. seeking their anticipatory bail within ten days from today. If such an anticipatory bail application is filed on behalf of petitioner, same shall be decided by the concerned court applying its robust judicial sense without wasting much of the time by a reasoned order.

With this observation the present petition is disposed off.

Order Date :- 20.11.2023

M. Kumar