

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 17869 of 2023

Petitioner :- Modim Ansari

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

Counsel for Petitioner :- Akash Kumar Verma

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard Sri Akash Kumar Verma, learned counsel for the petitioner and Sri Virendra Kumar Pal, learned A.G.A. appearing for the State respondents.

2. Short counter affidavit filed today is taken on record.

3. This writ petition has been filed with the prayer to quash the First Information Report dated 6.10.2023 registered as Case Crime No. 496 of 2023, under Section 420 IPC, P.S. Nichlaul, District Maharajganj. Further prayer has been made not to arrest the petitioner in the aforesaid case.

4. On 17.11.2023 following order was passed:-

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

2. In the facts and circumstances of the case to show the bona fide of petitioner, we direct the petitioner to deposit a sum of Rs.2,00,000/- (Two Lacs), within two weeks by means of demand draft in favour of Manauwar alias Munna Ansari, from whom the petitioner has allegedly purchased the property in question.

3. The demand draft, in original, shall be produced before this Court on the next date, so that the same may be kept in safe custody.

4. In the interest of justice, issue notice to respondent no.4 by speed post within three days.

5. Put up this case, as fresh, on 30.11.2023.

6. Learned A.G.A. to get the notice served to respondent no.3 - Station House Officer, Police Station Nichlaul, District Maharajganj."

5. However, learned A.G.A. has informed this Court that in the

present case charge-sheet no. 549 of 2023 dated 27.11.2023 has already been submitted.

6. In such view of the matter, present petition stands dismissed as infructuous.

Order Date :- 30.11.2023

Lalit Shukla