

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 17844 of 2023

Petitioner :- Charan Singh And 5 Others

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

Counsel for Petitioner :- Sanjeev Kumar, Anand Kumar

Counsel for Respondent :- G.A., Ramesh Prajapati

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Anish Kumar Gupta, J.

1. Heard learned counsel for the petitioners, Sri Ramesh Prajapati, learned counsel for the respondent no.4 and learned A.G.A. for the State.

2. The instant writ petition seeks quashing of the FIR dated 23.08.2023 giving rise to Case Crime No.0388 of 2023, under Section 420, 467, 468, 471, 427, 323 & 504 I.P.C., Police Station- Garh Mukteshwar, District- Hapur.

3. 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 in his defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.

4. 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.

5. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 16.11.2023

Shubham Arya