

**Court No. - 46**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 18016 of 2023

**Petitioner :-** Abhishek Kumar Saini

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

**Counsel for Petitioner :-** Shiv Pratap Singh

**Counsel for Respondent :-** G.A., Somendra Singh

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

**Hon'ble Syed Aftab Husain Rizvi, J.**

This petition has been filed with the prayer to quash the First Information Report dated 23.8.2023 in Case Crime No.396 of 2023 under Sections 419, 420, 467, 468, 471, 506 IPC, Police Station Rasra District Ballia.

The allegations in the FIR are to the effect that informant's father had died in the year 2019 and by producing an imposter, who was recognized and identified by the petitioner, a fraudulent sale deed has been got executed.

Learned counsel for the petitioner states that this is a civil dispute in respect of which proceedings are pending before the Civil Court.

Question as to whether the sale deed has been got executed by producing an imposter is an aspect which would require determination on factual issues during investigation. Since prima facie allegation with regard to commissioning of offence is disclosed, we decline to accept the prayer made in the writ petition to quash the FIR.

Subject to the observations made above, this petition is consigned to records.

**Order Date :-** 5.12.2023

RA