

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 17996 of 2023

Petitioner :- Sandeep And 4 Others

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

Counsel for Petitioner :- Amit Khanna, Jugal Kishor Khanna

Counsel for Respondent :- G.A., Ch. Dil Nisar, Raju Kumar

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Since, from perusal of the F.I.R., we, prima facie, find allegations with regard to commissioning of cognizable offence and several injuries are also alleged to have caused to informant's side, the prayer made in the writ petition to quash the F.I.R. in Case Crime No.0602 of 2023 under Sections 147, 323, 504, 506, 279 I.P.C. and Section 3(1) Da, 3(1) Dha of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), Police Station Devband, District Saharanpur is declined. Writ petition is dismissed.

It is, however, made clear that petitioners shall be at liberty to pursue appropriate remedy under the Code of Criminal Procedure, and any observation made herein shall not prejudice the case of the petitioners in such proceedings.

The office is directed to return certified copy of the F.I.R. annexed along with this petition to learned counsel for the petitioners, after retaining photostat copy of the same on record.

Order Date :- 12.12.2023

MN/-