

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 18231 of 2023

Petitioner :- Jitendra Kumar @ Jitendra Kumar Saroj

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

Counsel for Petitioner :- Kailash Nath Singh, S.K. Srivastava

Counsel for Respondent :- G.A.

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 registered as Case Crime No.0286 of 2023, under Sections 411, 419, 420, 467, 468 and 471 IPC, Police Station-Lalganj, District -Mirzapur, on the ground that there are no recoveries made from the petitioner and his implication is without any basis. It is also stated that in fact the petitioner is a teacher in Government school and the impugned F.I.R. against him be quashed.

Learned A.G.A. points out that 12 stolen motorcycles have been recovered in which the chassis number and the details of the vehicles have been changed. The name of the petitioner has surfaced during investigation. What exactly is the nature and the material against the petitioner which has led to his implication in the present crime need not be examined by this Court at this stage inasmuch as the correctness or otherwise of the allegations or the petitioner's defence can only be examined during investigation/trial.

Since prima facie allegations of commissioning of cognizable offence is disclosed in the F.I.R., the prayer made to quash the F.I.R., in such circumstances, is declined.

Writ petition is dismissed, accordingly.

Order Date :- 1.12.2023

MN/-