

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 18295 of 2023

**Petitioner :-** Shobhnath Yadav And Another

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

**Counsel for Petitioner :-** Rajendra Prasad Mishra, Satyam Mishra

**Counsel for Respondent :-** G.A.

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

**Hon'ble Arun Kumar Singh Deshwal, J.**

1. Supplementary affidavit filed today in the Court is taken on record.
2. Heard learned counsel for the petitioners and learned A.G.A. for the State.
3. The instant writ petition seeks quashing of the FIR dated 18.09.2023 giving rise to Case Crime No.110 of 2023, under Sections 419, 420, 467, 468, 471, 504, 506, 406 I.P.C., Police Station- Karanda, District- Ghazipur.
4. The contention of learned counsel for the petitioners is that he has not handed over any appointment letter and the first information report alleges that the same was handed over to the first informant or his son by Manoj Yadav, which is also admitted in the reply furnished in the complaint under Section 138 of N.I. Act.
5. 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 his defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.
6. 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.
7. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

**Order Date :-** 4.12.2023\Aditya Tripathi