

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 18232 of 2023

Petitioner :- Ashutosh Sharma @ Chhotu And 4 Others

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

Counsel for Petitioner :- Sudhanshu Pratap Singh

Counsel for Respondent :- G.A., Jayant Kumar

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

We have heard Sri Sudhanshu Pratap Singh, learned counsel for the petitioners, Sri Jayant Kumar, learned counsel for the respondent no.3 and learned A.G.A. for the State.

This petition has been filed with the prayer to quash the First Information Report registered as Case Crime No.734 of 2023, under Sections 498-A, 323, 504, 506, 316, 377, 389, 406 IPC and 3/4 of Dowry Prohibition Act, Police Station-Chakeri, District -Kanpur Nagar.

We have perused the F.I.R. which contains allegations with regard to the demand of dowry as also commissioning of unnatural sex. Various other allegations constituting cognizable offence are also disclosed in the F.I.R.

Learned counsel for the petitioners states that the allegations of the F.I.R. are false and the wife is living separately without any reason since long.

We are not required to examine the correctness or otherwise of allegations made in the F.I.R. We offered the petitioners to avail the remedy of mediation but the petitioners have not opted for it.

Since the F.I.R. otherwise contains specific allegations with regard to commissioning of cognizable offence, the prayer made to quash the F.I.R., is declined.

Writ petition is dismissed, accordingly.

Order Date :- 1.12.2023/MN/-