

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18400 of 2023

Petitioner :- Shyam Sundar And 5 Others

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

Counsel for Petitioner :- Vishvendra Singh

Counsel for Respondent :- G.A., Ashutosh Pandey

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard learned counsel for the petitioners and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 28.10.2023 giving rise to Case Crime No.300 of 2023, under Sections 147, 148, 149, 323, 504, 506, 307 IPC and 3(1)(Da), 3(1)(Dha) and 3(2)(v) of SC/ST Act, Police Station- Shamshabad, District- Agra.
3. Upon hearing learned counsel for the parties and upon a perusal of the record, we find that the submissions made on behalf of the petitioner are his defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.
4. 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 petitioner to quash the First Information Report is completely misconceived and is rejected.
5. The writ petition is, therefore, **dismissed** without prejudice to the right of the petitioner to apply for bail/anticipatory bail.

Order Date :- 11.12.2023

A.Kr.