

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18782 of 2023

Petitioner :- Dilshad And 2 Others

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

Counsel for Petitioner :- Mohd. Kamar Shah Alam

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Arun Kumar Singh Deshwal,J.

1. Sri Narendra Kumar Tiwari, Advocate has filed his Vakalatnama on behalf of respondent no.3 in Court, today. The same is taken on record.

2. Heard learned counsel for the petitioners, learned counsel for the respondent no.3 and learned A.G.A. for the State.

3. The instant writ petition seeks quashing of the FIR dated 20.11.2023 giving rise to Case Crime No.691 of 2023, under Sections 332, 336, 353, 504, 506 IPC and Section 3(1)(Da) and 3(1)(Dha) of SC/ST Act, Police Station- Kotwali Nagar, District- Muzaffarnagar.

4. 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 their defence, which cannot be looked into while dealing with a writ petition seeking quashing of a first information report.

5. 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.

6. 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

A.Kr.