

**Court No. - 43**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 18718 of 2023

**Petitioner :-** Aaftab And 5 Others

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

**Counsel for Petitioner :-** Mohd. Samiuzzaman Khan, Mohammad Wadood, Saddam Husain

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

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

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

1. Heard learned counsel for the petitioners and learned AGA for the State-respondents.
2. This writ petition seeks quashing of the First Information Report dated 17.11.2023 giving rise to Case Crime No.0992 of 2023, under Sections-188 and 429 IPC and Section-11 of the Prevention of Cruelty to Animals Act, 1960, Police Station-Gulariha, District-Gorakhpur.
3. The only contention raised by learned counsel for the petitioners is that Gulzar, who is the whistle blower has not been made an accused in the impugned FIR.
4. Video footage, called for vide order dated 02.12.2023, has been produced by learned AGA on a pen drive in a sealed envelope. The sealed envelope was opened and the court has examined the video on the pen drive.
5. The Investigating Officer who is present has identified several persons in the video. The video clip also reveals that meat was being weighed and sold from a residential house and also a clip of calf being slaughtered.
6. Under the circumstances, the allegation in the first information report contains the ingredients of a cognizable offence hence same cannot be quashed.
7. The writ petition is therefore **dismissed**, without prejudice to the rights of the petitioners to apply for bail/anticipatory bail.
8. The pen drive containing the video clip is handed over to the learned AGA.

**Order Date :-** 4.12.2023

S.Chaurasia