Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18817 of 2023

Petitioner :- Dev Kumar And Another
Respondent :- State Of U.P. And 2 Others
Counsel for Petitioner :- Manoj Kumar Tiwari
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 A.G.A. for the State.

2. The instant writ petition seeks quashing of the FIR dated 05.11.2023 giving rise to Case Crime No. 100 of 2023, under Sections 323, 506, 427 I.P.C., Police Station- Sureri, District- Jaunpur.

3. Learned AGA has pointed out that there has been seven injuries on the persons of the informant, Vijay Bahadur including a stitched wound on the right side of the forehead which is 5cm x 0.5cm. This injury corresponds to the allegations in the first information report. The same, therefore, cannot be said to be fabricated or concocted.

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 his 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 :- 5.12.2023/Anjali

Digitally signed by :-
ANJALI SHARMA
High Court of Judicature at Allahabad