

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18887 of 2023

Petitioner :- Paramjit Singh And 9 Others

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

Counsel for Petitioner :- Parijat Kumar Tiwari, Venu Gopal

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Venu Gopal, learned counsel for the petitioners, Sri U.S. Verma, learned counsel for respondent no. 1 and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 08.11.2023 giving rise to Case Crime No. 652 of 2023, under Sections 147, 148, 149, 323, 504, 506, 379, 385 I.P.C., Police Station- Baheri, District- Bareilly.
3. The only contention of counsel for the petitioners is that the offences alleged in the impugned FIR carry a sentence of less than seven years. There is no law which provides that the FIR with alleged offences carry a sentence of less than seven years necessarily be quashed.
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