

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 18915 of 2023

Petitioner :- Shiv Das And 3 Others

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

Counsel for Petitioner :- Ram Sumer Chaudhary, Manju Lata Verma

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State.
2. The present writ petition seeking quashing of the first information report dated 02.10.2023 giving rise to Case Crime No. 0323 of 2023, under Section 498-A, 304-B I.P.C. & 3/4 D.P. Act, Police Station- Atarra, District- Banda.
3. The F.I.R. which is sought to be quashed has been lodged under Section 304-B I.P.C., which is heinous offence.
4. The contention of learned counsel for the petitioner is that he is not named in the first information report.
5. In our considered opinion, since, the petitioner is not named in the first information report, he has no locus to file this writ petition.
6. For the reasons given above, this Court is not inclined to entertain this writ petition.
7. The petition is dismissed accordingly.

Order Date :- 6.12.2023

Himanshu