Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 19316 of 2023

Petitioner :- Radheshyam
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Ganesh Kumar
Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.
Hon'ble Arun Kumar Singh Deshwal,J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

The instant writ petition seeks quashing of the FIR dated 3.11.2023 giving rise to Case Crime No.298 of 2023, under Sections 147, 323, 308, 504, 506, 304, 325 I.P.C., Police Station Lalganj, District Basti.

Perusal of the first information report shows that it had been lodged against unknown persons.

In our considered opinion, since, the petitioner is not named in the first information report, he has no locus to file this writ petition.

In case, his name has come to light during investigation, it is evidence which may have been collected during investigation that would not render the first information report liable to challenge.

Under the circumstances, the first information report cannot be quashed.

The writ petition is therefore without merit and is **dismissed**, without prejudice to the right of the petitioner to apply for bail/ anticipatory bail.

Order Date :- 14.12.2023
Vandana

Digitally signed by :-
VANDANA GAUTAM
High Court of Judicature at Allahabad