

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 19218 of 2023

Petitioner :- Sarthak And 5 Others

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

Counsel for Petitioner :- Ram Adhar Yadav, Priyavrat Tripathi

Counsel for Respondent :- G.A., Chandra Bhushan Singh, Punita Singh

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard learned counsel for the petitioner, learned counsel for the first informant 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.0265 of 2023, under Sections 363, 366 I.P.C., Police Station- Chhapar, District- Muzaffarnagar.
3. The FIR alleges that the victim is minor.
4. To controvert the allegations made in the first information report, reliance has been placed upon Aadhar Card and the Pan Card of the victim.
5. However, it is settled law that the Aadhar Card and Pan Card are not a valid documents for the determination of age of an individual.
6. 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.
7. The writ petition is therefore dismissed, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 12.12.2023

Aditya Tripathi