

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 19222 of 2023

Petitioner :- Neeraj And 4 Others

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

Counsel for Petitioner :- Prem Babu Verma, Anita Singh

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 28.11.2023 giving rise to Case Crime No.0274 of 2023, under Sections 429, 435 and 120-B I.P.C., Police Station- Pachokhara, District- Firozabad.
3. The contention of learned counsel for the petitioners is that on the date of incident, petitioner was not at home and that he is a practising advocate.
4. Upon hearing learned counsel for the petitioners 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 petitioner 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 :- 12.12.2023

Aditya Tripathi