

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 19270 of 2023

Petitioner :- Anubhav Sonkar And 2 Others

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

Counsel for Petitioner :- Mayank Srivastava, Abhay Kant Shukla, Rishi Kant Rai

Counsel for Respondent :- G.A.

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Heard learned counsel for the petitioners and learned AGA for the State.

This writ petition has been filed with the prayer to quash the First Information Report, registered as Case Crime No. 642 of 2023, under Sections 354D, 506, 385 IPC, Police Station Dhoomanganj, District Prayagraj, on the ground that petitioner no.1 has already instituted a previous FIR against the daughter of the informant, and that petitioner nos.2 and 3, who are the sisters of petitioner no.1, have no role to play in the matter. It is also submitted that petitioner nos.2 and 3 are independently residing elsewhere.

Learned AGA opposes the prayer made in the writ petition.

We have perused the first information report, which contains allegation with regard to harassment and blackmailing of the daughter of informant, who was also studying in the same coaching institute at Delhi. It is also alleged in the FIR that petitioner nos.2 and 3 are supporting the petitioner no.1 and are involved in the matter.

Exactly what is the role played by petitioner nos.2 and 3 in the matter is an issue to be examined at the stage of investigation. Since prima facie allegation is clearly made in the First Information Report and the lodgement of FIR by the petitioner no.1 also indicates that the daughter of informant and the petitioner no.1 were in touch with each other, we are not inclined to embark upon the factual investigation with regard to allegations of the FIR or the defence of the petitioner.

Leaving all issues open for examination at the stage of investigation, this writ petition filed to quash the FIR is dismissed.

Order Date :- 12.12.2023

Anil