

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 3027 of 2023

Petitioner :- Mukul Parashar Alias Mukul Pandey And Others

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And Others

Counsel for Petitioner :- Kripa Shankar Yadav, Moni Yadav

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners, learned AGA who appears on behalf of State-respondents and perused the record.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Certiorari for quashing of the impugned First Information Report dated 6.2.2023 registered as FIR No. 86 of 2023 under Sections 498A, 323, 406 IPC and Section 3/4 of D.P. Act at P.S. Kotwali City, District Pratapgarh and for a direction to the respondents not to arrest the petitioners pursuant to the impugned FIR.

On two occasions report has been sent by office regarding failure to serve upon opposite party no. 3, this Court had passed an order on 11.5.2023 directing the petitioner to take steps for service of notice to the opposite party no. 3. Notice has come back with remark from the post office concerned that there is no such person with the name and address as shown on the envelope residing within the jurisdiction of Kotwali City, Pratapgarh. Earlier also the Court had noticed the office report regarding non-service of notice.

Learned AGA has pointed out from page no. 23 (Annexure-2) of the paper book that the petitioner has filed a Section 9 application before the Court of Principal Judge, Family Court, Jaunpur showing the address of the opposite party no. 3 Vandana Pandey as daughter of Chandra Prakash Pandey, Gram Bari, Post Ekchangi, P.S. Munderwa, District Basti.

This Court finds that the petitioners have given an incorrect address of the opposite party no. 3 deliberately in the description of the respondents in this writ petition.

Accordingly, the writ petition is **dismissed**.

Order Date :- 5.12.2023

AKK