

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 4775 of 2023

Petitioner :- Nar Singh Soni

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

Counsel for Petitioner :- Santosh Kumar Misra

Counsel for Respondent :- G.A., Vyas Narayan Shukla

Hon'ble Dinesh Kumar Singh, J.

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard learned counsel for the petitioner as well as learned AGA and the learned counsel for opposite party no.5.
2. The present petition under Article 226 of the Constitution of India has been filed seeking quashing of the FIR No.97 of 2023 registered on 13.4.2023 under Sections 452, 50, 506, 384 and 386 IPC at Police Station Amethi, District Amethi.
3. The petitioner had earlier approached this Court by filing Criminal Misc. Anticipatory Bail Application No.1158 of 2023. The said anticipatory bail application has been rejected by the learned Single Judge of this Court vide order dated 16.5.2023 on the ground that there is CCTV footage as well as electronic evidence available against the petitioner demanding Rs.10 Lakhs from the informant for not pursuing the case against him in FIR No.70 of 2023 registered under Sections 147 and 304 IPC, Police Station Amethi, District Amethi.
4. We find no reason to interfere in the FIR considering the evidence collected during the course of investigation as well as the order dated 16.5.2023 passed by the learned Single Judge in Criminal Misc. Anticipatory Bail Application No.1158 of 2023. However, prima facie, the offence under Section 386 IPC may not be made out and, therefore, it is provided that till credible evidence is available against the petitioner regarding

commission of offence under Section 386 IPC, he shall not be arrested, subject to his cooperation in the investigation.

5. Subject to above observation and direction, the present petition stands ***disposed of***.

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(Syed Qamar Hasan Rizvi, J.) (Dinesh Kumar Singh, J.)

Order Date :- 22.6.2023

Rao/-