

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 5541 of 2022

Petitioner :- Asha Pal

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

Counsel for Petitioner :- Shesh Mani, Anoop Kumar Upadhyay

Counsel for Respondent :- G.A., Ajeet Kumar Mishra

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner and learned A.G.A. for the State-respondents.

The present writ petition has been filed by the petitioner with a prayer to issue a writ of certiorari to quash the impugned FIR No.0190 of 2022, under Sections 419, 420, 468, 471 I.P.C., Police Station Jethwara, District Pratapgarh; with a further prayer to not arrest the petitioner in pursuance of the impugned FIR.

Learned counsel for the petitioners confines his prayer for issuing direction to the police authorities to follow the mandate of Section 41A, Cr.PC. for the reason that the offences mentioned in the impugned First Information Report carry the sentence of upto 7 years of imprisonment.

Learned A.G.A. on the basis of the short counter affidavit filed by Circle Officer wherein it has been stated that during the course of the investigation Section 409 and Section 120-B I.P.C. has been added.

Counsel for the petitioner says that even before lodging of the F.I.R. the petitioner has deposited Rs. 11, 220/- in the Gram Nidhi.

This Court having perused the impugned F.I.R. and taken note of the arguments raised by the learned counsel for the petitioner finds that at the relevant point of time the petitioner was Village Development Officer.

The Court having perused the impugned F.I.R. finds no ground to show interference.

The writ petition is, accordingly, **dismissed**.

Order Date :- 22.11.2023

Anuj Singh