

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 5390 of 2023

Petitioner :- Mohammad Firoj

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

Counsel for Petitioner :- Dinesh Kumar,Ajeet Singh,Ajey Singh,Gyan Prakash

Counsel for Respondent :- G.A.,Ajay Kumar

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Case called out.

An out of station slip has been sent by Sri Ajey Singh, learned counsel for the petitioner.

This petition has been filed with the following main prayer:-

"issue a writ, order or direction in the nature of Certiorari to quash the First Information Report dated 1.10.2022 bearing Case Crime no.627/2022, under Sections 3(i) of U.P. Gangster and Anti Social Activities (Prevention) Act, Police Station Akabarpur, District Ambedkar as contained in Annexure no.1 to this writ petition."

Learned A.G.A. for the State has filed a short counter affidavit, which is taken on record.

It has been stated in the short counter affidavit that petitioner is one of the co-accused in Case Crime No.556 of 2019 and Charge Sheet No.471 of 2020 dated 28.11.2020 has been prepared and submitted in the Court concerned on 06.07.2021.

After having examined the contents of the impugned F.I.R. as also the contents of the short counter affidavit filed today be learned A.G.A., we are of the opinion that, *prima facie*, the impugned F.I.R. discloses cognizable offence to have committed by the petitioner, hence, no interference is called for by this Court in its extraordinary power under Article 226 of the Constitution of India for quashing of the F.I.R. or for grant of any interim relief to the petitioner and accordingly, the present writ petition is ***dismissed***.

Order Date :- 8.12.2023

Rahul