

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7906 of 2023

Petitioner :- Yogesh Rawat In Fir Yogesh Pasi

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

Counsel for Petitioner :- Devendra Nath Tripahti

Counsel for Respondent :- G.A.,Ajay Shukla,Aman Deep Verma

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner, learned A.G.A. who appears on behalf of the State Respondents and Sri Ajay Shukla, Advocate who has appeared on behalf of the Caveator.

2. This petition has been filed with the following main prayers:-

"1. To issue a writ order or direction in the nature of certiorari thereby quashing the dated 29.09.2023 registered vide F.I.R No. 0444 of 2023 filed under sections 147, 148, 149, 323, 324, 307, 506, and 427 IPC registered at P.S. Gosaiganj, District - Lucknow, against the petitioner contained as Annexure No.1 to this writ petition."

3. It has been submitted by the learned counsel for the petitioner that as per the prosecution story, on 29.09.2023 at about 11:30 A.M., the son of the complainant Manoj Patel was going towards Amethi alongwith his friend on bullet motorcycle. On the way, they were stopped by riders on four motorcycles, they attacked them by sword, farsa, axe and iron rod. The complainant's son and his friend were grievously injured. After beating up, the complainant's son and his friend the attackers run away. The complainant have information that the accused persons belong to a group which is called Suheldev/Bheem Army.

4. It has also been submitted by learned counsel for the petitioner that there are no injuries suffered by the complainant's son. A false F.I.R. has been lodged with Section 307 of the I.P.C. also being invoked.

5. Sri Ajay Shukla, learned counsel who appears on behalf of

the Caveator has produced before this Court medical examination report of Manoj Kumar Patel aged about 37 years and Saroj Verma, aged about 37 years. In the medical examination report, the Emergency Medical Officer of Community Health Centre, Gosainganj has found several injuries and one lacerated wound on the scalp. X-ray of left shoulder and of left forearm suspected fracture have also been advised.

6. The injury reports are kept on record.

7. This Court has seen the medico legal examination reports of Manoj Patel and Saroj Verma and finds no good ground to show interference in the impugned F.I.R.

8. The writ petition stands **dismissed**.

Order Date :- 12.10.2023

Darpan Sharma