

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7978 of 2023

Petitioner :- Smt. Mamta And Others

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

Counsel for Petitioner :- Ram Singh

Counsel for Respondent :- G.A., Rohit Jaiswal

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State and Sri Rohit Jaiswal, learned counsel for the private respondent.

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

"Issue a writ, order or direction in the nature of Certiorari quashing the impugned First Information Report registered at F.I.R. No.0483 of 2023, Under Section:419, 420, 467, 468, 471 IPC, Police Station- Gangaghat, District- Unnao, as contained in Annexure No.1 to this writ petition, so far as it relates to the Petitioners."

It has been submitted by learned counsel for the petitioners that the petitioner no.1 is the real daughter of Late Babu Lal and her name has been entered into the revenue records as his daughter and the only legal heir. However, in the impugned F.I.R., the informant has alleged that she is the real daughter of Late Babu Lal and that the petitioner is an imposter, who has sold off the total land of Late Babu Lal ad-measuring 2.540 hectare fraudulently.

This Court has perused the F.I.R. and finds that that F.I.R. is supported by the Aadhar Card, PAN card, Proof of Residence, Copy of Pariwar Register, Copy of Post Office Savings Bank Account, Passport and mutation order passed by the Revenue Court as also the N.O.C. issued in favour of the informant.

After having examined the submissions advanced by learned counsel for the parties and perused the impugned F.I.R., we are of the opinion that the

impugned F.I.R. discloses cognizable offence by the petitioners, 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 petitioners and accordingly, the present writ petition is ***dismissed***.

Order Date :- 13.10.2023

Rahul