

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7916 of 2023

Petitioner :- Makkhan Lal

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

Counsel for Petitioner :- Bal Keshwar Srivastava, Afaq Zaki Khan, Mohammad Airaj Siddiqui

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

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

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

"Issue a writ, order or direction in the nature of certiorari to quash the impugned FIR No. 0411 of 2020 under section 406, 419, 420, 467, 468, 4711PC lodged by the Opposite Party No. 4 at Police Station-Kotwali City, District-Hardoi against the petitioner contained as Annexure No. 1 to this petition."

It has been submitted by learned counsel for the petitioner that the petitioner was working as Assistant Teacher in a Primary School run by the Basic Siksha Parishad, Hardoi. The allegation in the impugned F.I.R. is that the petitioner had forged a certificate regarding his qualification of Teacher's Eligibility Test. This F.I.R. has been lodged against 14 such assistant teachers, two of them have already been granted interim protection by this Court in Writ Petition No. 14853 (MB) of 2020 and Writ Petition No. 21023 (MB) of 2020. Copies of the orders passed in the aforesaid writ petitions have been filed as Annexure No. 3 to the petition collectively.

Learned A.G.A. on the basis of the instructions sent by the In-charge/Inspector, P.S. Kotwali City, District Hardoi says that charge sheet has been filed against the accused Arun Sharma on 23.01.2023 and the petitioner Makkhan Lal has remained absconding and non-bailable warrants have been issued against him by the trial court.

This petition is disposed of with a direction to the petitioner to approach trial court.

Order Date :- 12.10.2023

R.C.