

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7903 of 2023

Petitioner :- Naseem Bano

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home Deptt. U.P. Govt. Civil Sectr. Lko. And Others

Counsel for Petitioner :- Alok Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned A.G.A. for the State/respondents and perused the material placed on record.

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

"(i) Issue a writ, order or direction in the nature of certiorari thereby to quash the impugned first information report dated 25.09.2023, lodged by the opposite party no.4, against petitioner, vide Case Crime No.0323/2023, under section - 5 (a) Explosive Substance Act, 1908, Police Station - Sadarpur, District - Sitapur, contained as Annexure No.1 to this writ petition, in the interest of justice.

(ii) Issue a writ, order or direction in the nature of mandamus commanding the opposite parties and directing the opposite parties no.2 and 3, not to arrest or adopt any coercive measures against the petitioner on the basis of the impugned first information report dated 25.09.2023, lodged by the opposite party no.4, against petitioner, vide Case Crime No.0323/2023, under section - 5 (a) Explosive Substance Act, 1908, Police Station - Sadarpur, District - Sitapur, in the interest of justice."

It has been submitted by learned counsel for the petitioner that petitioner has been falsely implicated in the case.

This court has perused the F.I.R. and finds that it has been lodged by the Sub Inspector on an explosion being found to have occurred at around 8.30 in the morning in the house of the petitioner, which endangered the life of several persons in the neighborhood. Learned counsel for the petitioner states that petitioner's husband has been granted licence to make firecrackers. Learned counsel for the petitioner has referred to page 28 of the writ petition, which this Court has perused. The

licence was granted w.e.f. 22.10.2022 to 24.10.2022 for the Village Sadarpur Mela Maidan to the petitioner's husband.

This court has perused the F.I.R. and finds no good ground to show interference.

Accordingly, the writ petition is hereby **dismissed**.

Order Date :- 11.10.2023

ML/-