

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7880 of 2023

Petitioner :- Mushtaq And Others

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

Counsel for Petitioner :- Ram Prasad Dwivedi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioners and learned AGA.
2. This petition has been filed with the following main prayers:-
 - (i.) *Issue a writ, order or direction in the nature of Certiorari thereby quash the impugned First Information Report lodged by the opposite party No. 4 bearing First Information Report No. 196 of 2023, under Sections- 419, 420, 467, 468, 471 I.P.C., Police Station- Kotwali Nagar, District Bahraich on 10.07.2023, at about 21:05 hours (Contained as Annexure No.-1), in the interest of justice.*
 - (ii) *Issue a writ order or direction in the nature of Mandamus thereby commanding the Opp. Parties 3 not to arrest the Petitioner in pursuance of impugned First Information Report lodged by the opposite party No. 4 bearing First Information Report No. 196 of 2023, under Sections- 419, 420, 467, 468, 471 I.P.C., Police Station- Kotwali Nagar, District Bahraich on 10.07.2023, at about 21:05 hours (Contained as Annexure No.-1), in the interest of justice.*
3. It has been submitted by the learned counsel for the petitioners that the petitioners are completely innocent and have been falsely implicated in the impugned FIR. This Court has perused the FIR and finds that it has been lodged by the Sub-Divisional Magistrate, Sadar Bahraich after due approval from the District Magistrate, Bahraich and it has referred to the detailed inquiry that was conducted in the matter. Mention has been made on five interim orders having been forged by the petitioners in five revisions bearing Nos.904, 812, 872, 906 and 804 filed under Sections 333 of the U.P.Z.&L.R. Act and on the

various dates before the Board of Revenue Court. Such interim orders were found to be suspicious in nature and a detailed inquiry was conducted in the matter.

4. This Court finds no good ground to show interference.

5. This writ petition is **dismissed**.

Order Date :- 11.10.2023

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