

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7919 of 2023

Petitioner :- Suresh Kumar

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

Counsel for Petitioner :- Pawan Kumar Mishra

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 quashing the impugned First Information Report dated 08.08.2023 (so far it relates with the petitioner only) lodged by opposite party No.4 in FIR/ Case Crime No.448/2023, Under Sections 147,452,323,504,506 IPC, subsequently added Section-316 I.P.C. Police Station- Hardi, District-Bahraich, as contained in Annexure No. 1 to this Writ petition."

It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the impugned F.I.R.

Learned A.G.A. on the basis of the annexures to the writ petition has pointed out that because of the complainant's daughter being beaten up brutally, abortion was caused and therefore, Section 316 IPC was added during the course of the investigation.

Learned counsel for the respondent State has further pointed out that a report dated 29.09.2023 has already been submitted by the investigating officer/Sub Inspector Vijay Kumar, P.S. Hardi, Bahrach to the Judicial Magistrate, Bahraich praying that the accused persons be taken in the judicial custody.

This Court finds no good ground to show interference in the matter, hence this writ petition is dismissed.

Order Date :- 12.10.2023

R.C.