

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7912 of 2023

Petitioner :- Tauheed Alias Tauheed Husain

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

Counsel for Petitioner :- Anil Kumar Awasthi

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 a following prayer:-

Issue a writ, order or direction in the nature of Certiorari quashing the first information report dated 14.09.2023, as Case Crime No.0334/2023, under section 376, 452, 323, 506 IPC, Police Station-Paliya, District-Kheri, as Annexure No.2, 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. The alleged victim is a mother of three children. The petitioner himself is married and has two children. It is only a case of vindictiveness on the part of the complainant in lodging F.I.R. as the petitioner had lent several hundred rupees to the complainant and his wife at different points of time which they were not returning.

This Court has perused the F.I.R and from the same, it is evident that a cognizable offence is made out. Ashia Bano had taken venom/salphas and tried to commit suicide because of the offences as mentioned in the F.I.R. She was initially sent to Community Health Centre, Pallia, from where, she was referred to Lucknow and she is being treated in a hospital in Lucknow.

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.