

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7945 of 2023

Petitioner :- Ram Saran

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

Counsel for Petitioner :- Shyamendra Singh,Raj Kumar Verma,Tej Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State-respondents.

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

(i) Issue a writ, order or direction in the nature of Certiorari thereby quash the impugned First Information Report dated 29.11.2022 lodged by the opposite party no. 4 at case crime No.0415/2022, Under Sections- 409, 420 I.P.C Act Police Station-Hazratganj, District- Lucknow so far as relates to the petitioners, contained in Annexure No. 1 to the writ petition.

(ii) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties not to arrest the petitioners in pursuance of the impugned First Information Report dated 29.11.2022 lodged by the opposite party no. 4 as case crime No.0415/2023, Under Sections- 409, 420 I.P.C Act Police Station-Hazratganj, District- Lucknow, contained in Annexure No. 1 to the writ petition, in the interest of justice.

3. It has been submitted by learned counsel for the petitioner that the petitioner is illiterate, he only knows how to write his name in hindi. He has no concern with any agreement to sell as have been entered into by the Directors to Shri Sahu Estate Properties and Developers Pvt. Ltd. and its owners Manoj Pandey, Mrs. Alka Pandey and the allegation in the F.I.R. does not specify the role of the petitioner.

4. This Court has perused the F.I.R. and paragraph 10 of the writ petition wherein it has been stated that the petitioner is one

of the directors of Shri Sahu Estate Properties and Developers Pvt. Ltd.

5. This Court has also gone through the F.I.R. and finds therefrom that the allegation is of that at least 400 plots were promised to several people and only 160 persons have been given the plots. The petitioner perhaps was a director of company which was running a ponzy scheme. This Court finds no good ground to show interference. Accordingly, the writ petition is dismissed.

Order Date :- 12.10.2023

Saurabh Yadav/-