

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7962 of 2023

Petitioner :- Aqib Ullah Khan

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

Counsel for Petitioner :- Pankaj Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner, learned A.G.A. for the State Respondents and Sri Utkarsh Misra, Advocate alongwith Sri Abhishek Yaduvanshi, Advocate who has filed his power on behalf of the opposite party no. 4..

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

*"i. issue a writ order or direction in the nature of Certiorari quashing the impugned First Information Report No. 0273 U/s 354, 506 IPC, Police Station Kotwali Nagar, District Bahraich dated 27.09.2023 registered at 19.13 Hrs. contained as **Annexure No.1** to this writ petition.*

ii. issue a writ order or direction in the nature of mandamus commanding the Opp. Parties not to arrest. and harass the petitioner in connection with the impugned First Information Report lodged at case crime No. 0273 U/s 354, 506 IPC, Police Station Kotwali Nagar, District Bahraich dated 27.09.2023 registered at 19.13 so lodged by opposite party no. 4."

3. It has been submitted by learned counsel for the petitioner that all the Sections invoked against the petitioner in the impugned F.I.R. carry the sentence of upto 7 years of imprisonment.

4. This Court has perused the F.I.R. and finds that there is specific averments therein with regard to the molestation. No prior enmity between the parties has been shown in the pleadings on record.

5. This Court finds no good ground to show interference in the impugned F.I.R.

6. The writ petition stands **dismissed**.

Order Date :- 13.10.2023

Darpan Sharma