

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8038 of 2023

Petitioner :- Aniruddha Narayan

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

Counsel for Petitioner :- Radhakrishna Ojha,Vineet Kumar Chaurasia

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

(1) Heard the learned counsel for the petitioner and the learned A.G.A. who appears for the Opposite party nos.1, 2 & 3.

(2) This petition has been filed by the petitioner for the following main prayer:-

"1) to issue a writ, order or direction in the nature of Certiorari quashing the impugned First Information Report dated 18.09.2023 lodged by the Opposite party no.4 registered as F.I.R./ Case Crime No.0377 of 2023, under Sections 406, 409, 420, 504 & 506 I.P.C., at Police Station Satrikh, District Barabanki, so far as it relates with the petitioner as contained in Annexure No.1 to this writ petition."

(3) It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the impugned F.I.R. The complainant, as alleged that the petitioner and other persons are running a business of Real Estate Company named as Stallion Infra Developer Pvt. Ltd. and had promised for plots of land to be allotted to investors. The money was paid to the Company but no plots of land were allotted.

(4) It has been submitted by the learned counsel for the petitioner that there is an Agreement entered into between the petitioner and the informant and there is no grievance left of the informant as is evident from the Compromise / Letter sent by the informant to the Superintendent of Police.

(5) This Court having perused the F.I.R. and finds that a cognizable offence is made out against the petitioner, therefore, there is no need to interference in the impugned F.I.R., at the initial stage.

(6) The writ petition is **disposed of**.

(7) The petitioner may approach the Investigating Officer with the alleged compromise.

Order Date :- 17.10.2023

N.PAL