

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8161 of 2023

Petitioner :- Irshad

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

Counsel for Petitioner :- Lalji Prasad Shukla

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Learned counsel for the petitioner, learned A.G.A. for the State/Respondents and perused the record.

Supplementary affidavit filed today is taken on record.

This petition has been filed with the following main prayers:-

"(i). issue a writ, order or direction in the nature of certiorari to quash the First Information Report dated 17.09.2023 registered at F.I.R. No.0358 of 2023 under Section 3 (1) of U.P. Gangsters & Anti Social Activities (Prevention), Act-1986, Police Station - Reosa, District - Sitapur, contained as Annexure No.1 to this writ petition.

(ii). issue a writ, order or direction in the nature of mandamus commanding the Opposite Party no. 3 not to arrest the petitioner in FIR No.0358 of 2023 under Section - 3 (1) of U.P. Gangsters & Anti Social Activities (Prevention) Act-1986, Police Station - Reosa, District - Sitapur, contained as Annexure No.1 to this writ petition."

It has been submitted by learned counsel for the petitioner that from the criminal history as prepared by the Incharge Inspector of the Police Station Reosa, District Sitapur, it is evident that 05 cases have been shown to have been lodged against the petitioner. In 03 of such cases, the petitioner has already been acquitted. It has been submitted that in 02 cases the petitioner is on bail.

This Court has perused the gang chart and finds that there is sufficient material with the respondents to come to the conclusion regarding the petitioner's involvement. Therefore, this court finds no good ground to show interference.

Accordingly, the writ petition is hereby **dismissed**.

Order Date :- 2.11.2023

ML/-