

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8286 of 2023

Petitioner :- Dilawar Ali Khan And Others

Respondent :- The State Of U.P. Thru. Secy. Home Deptt. And Others

Counsel for Petitioner :- Sultan Hasan Ibrahim, Syed Ahmad Abbas Zaidi

Counsel for Respondent :- G.A., Mohammad Alishah Faruqi

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioners and learned AGA for the State as well as Srhi Mohammad Alishah Faruqi, learned counsel for respondent no. 3.

The petition has been filed with the following main prayer:-

"issue a writ, order or direction in the nature of certiorari thereby quashing the F.I.R./Crime No. 0663 of 2023, Under Section 419, 420, 467, 468, 471 I.P.C., at P.S.-Thakurganj, District- Lucknow against the petitioners which is contained as Annexure No.1 to the writ petition."

It has been submitted by the learned counsel for the petitioners that the petitioners and opposite party no. 3 belong to same family. Opposite party no. 3 is nephew of the petitioner. The allegation in the F.I.R. is in relation to the property in which a civil dispute is pending before the Commissioner, Devi Patan Mandal, gonda.

Learned counsel for the informant has argued that the F.I.R. has been lodged not because of pendency of the civil suit but with a specific allegation that a forged document regarding death of one Nawab Fateh Ali Khan was produced to procure interim order from Nagar Nigam, Zone-VI, Nawajganj, Thakurganj, Lucknow.

This Court has perused the F.I.R. and finds that prima facie cognizable offence is made out, hence, writ petition is ***dismissed***.

Order Date :- 19.10.2023

R.C.