

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8353 of 2023

Petitioner :- Santosh Rajbhar

Respondent :- State Of U.P. Thru. Prin. Secy. Home, U.P. Govt. Lucknow And Others

Counsel for Petitioner :- Farooq Ayoob

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Mrs. Renu Agarwal,J.

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

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

"i. A writ, order or direction in the nature of CERTIORARI be issued quashing the impugned FIR related to Case Crime No. 0176/2023, U/S-3/5A/8 Cow Slaughter Act & 420, 467, 468, 471 I.P.C. & 11 Animal Cruelty Act at police station-Haidergah, District-Barabanki contained as ANNEXURE NO. 1 to this writ petition.

ii. Writ, order or direction in the nature of MANDAMUS be issued commanding the opp. party not to arrest the petitioner on the basis of the impugned FIR registered by Opp. Party no.4, in Case Crime No. 0176/2023, U/S-3/5A/8 Cow Slaughter Act & 420, 467, 468, 471 I.P.C. & 11 Animal Cruelty Act at police station-Haidergarh, District Barabanki, contained in ANNEXURE NO.1 writ petition."

3. It has been submitted by learned counsel for the petitioner that the petitioner was not caught on the spot in the alleged raid carried out by the police personnel, his name has come to light during the course of investigation and regarding the confessional statement of co-accused.

4. This Court has gone through the F.I.R. which contains detailed reference of the cruelty to the cows and its progeny being carried out by the petitioner and other accused persons.

5. This writ petition is ***dismissed***.

Order Date :- 30.10.2023

Darpan Sharma