

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 8332 of 2023

Petitioner :- Saurabh Bharti @ Saurabh

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

Counsel for Petitioner :- Rohit Tripathi, Shishir Srivastava, Syed Zulfiqar Husain Naqvi

Counsel for Respondent :- G.A.

Hon'ble Rajan Roy, J.

Hon'ble Ajai Kumar Srivastava-I, J.

Heard.

This petition has been filed seeking the following reliefs:-

"(i) to issue a writ, order or direction in the nature of Certiorari thereby quashing the FIR in FIR No. 82/2023 under Section 392 & 411 IPC registered at P.S. Rahimabad, Lucknow, as contained in Annexure 1 to this writ petition, in so far as the same relates to the petitioner.

(ii) to issue a writ, order or direction in the nature of Mandamus, thereby commanding the opposite parties to refrain from using any coercive measure against the petitioner in connection with the impugned FIR No. 82/2023 under Section 392 & 411 IPC registered at P.S. Rahimabad, Lucknow."

The petitioner had applied for grant of anticipatory bail but the same was rejected on 18.10.2023, as is evident from Annexure No. 2. The petitioner is not named in the FIR, however, proceedings under Section 82/83 Cr.P.C. have been initiated against him, as informed by the petitioner's Counsel himself, therefore obviously, he is wanted in the criminal case. Two of the accused have already been bailed out. We see no reason to quash the impugned FIR.

This writ petition is accordingly **dismissed**, however, without prejudice to the rights of the petitioner to avail other remedies, as may be prescribed in law.

Order Date :- 28.10.2023

Lokesh Kumar

[Ajai Kumar Srivastava-I, J.] [Rajan Roy, J.]