

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8352 of 2023

Petitioner :- Satyendra Kumar Dubey

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

Counsel for Petitioner :- Rakesh Kumar Yadav

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Mrs. Renu Agarwal,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) Issue a writ, order or direction in the nature of Certiorari quashing the impugned First Information Report dated 16.10.2023 registered as Case Crime No.0991 of 2023, under Sections 419, 420, 467, 468, 471, 120-B, 504, 506 I.P.C., at Police Station Kotwali Nagar, District Sultanpur, as contained in Annexure No.1 to the writ petition."

(3) It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the impugned F.I.R. In fact, the Opposite party no.4 was himself an Agent of the Indus Weir Industries Private Limited & Aakash Deep Infra Projects Private Limited. He himself on his own had deposited the alleged Rs.6,50,000/- in the two Companies to earn a commission.

(4) This Court has perused the F.I.R. and finds that the petitioner is an Agent of Indus Weir Industries Private Limited and advised the private-respondent no.4 into depositing more than Rs.6 lacs in Aakash Deep Infra Projects Private Limited & Indus Weir Industries Private Limited in his own name and in the name of his wife and other family members on the promise that the amount so deposited, shall be doubled. The petitioner cannot be said to be completely innocent in running of the PONZI

Scheme by the two Industries.

(5) This Court finds no good ground to show interference in the matter.

(6) The writ petition stands ***dismissed.***

Order Date :- 30.10.2023

N.PAL