

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8402 of 2023

Petitioner :- Chandrawati @ Chandrawati Devi And Others

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

Counsel for Petitioner :- Akhilendra Kumar Goswami

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners and learned A.G.A. for the State-respondents.

This petition has been filed praying the following reliefs:-

(a) Issue a writ, order or direction in the nature of certiorari thereby quashing the impugned first information report vide case crime no.570 of 2023 under Section 419, 420, 467, 468, 471 IP.C., lodged at Police Station- Mankapur, District- Gonda as contained in Annexure-1 to this writ petition.

(b) Issue a writ, order or direction in the nature of mandamus commanding the opposite party no 3 not to harass, detain or prosecute the petitioner in pursuance of the impugned F.I.R.

It has been submitted by the learned counsel for the petitioners that the petitioners are completely innocent and have been falsely implicated in the impugned F.I.R. The dispute is civil in nature and a criminal colour has been tried to give it. The petitioner no. 1 is an old lady. She had executed a sale deed with respect to one and half hectares of land for Rs. 20 Lacs in favour of the informant and her mother. Later on, she found out the truth and has filed an application for recall before the court with regard to the order passed for registration of the sale deed on 8.6.2023. Thereafter the impugned F.I.R. has been lodged.

This Court perused the F.I.R. and finds that initially the petitioner no. 1 had got Rs. 20 lacs from the informant and her mother for sale of Gata No. 901 hectare situated at Village Narhapur, Pargana- Budhapayar, Tehsil- Mankapur, District- Gonda. She, however, refused to appear before the Sub Registrar, Mankapur, District- Gonda to get the sale deed registered.

Only after the order passed under Section 72/73 of the Registration Act, she was forced to get the sale deed registered. Later on the same plot of land was sold by the petitioner no. 1 in collusion with the Petitioner Nos. 2 in favour of another person.

The Court having perused the impugned F.I.R. finds no ground to show interference.

The writ petition is, accordingly, **dismissed**.

Order Date :- 31.10.2023

Anuj Singh