

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8566 of 2023

Petitioner :- Afsar Ali And Another

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

Counsel for Petitioner :- Vijay Kumar, Pankaj Kumar Tripathi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners, learned AGA who appears on behalf of State-respondents and perused the record.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Certiorari for quashing the impugned First Information Report dated 27.6.2023 registered at FIR No. 0305 of 2023 under Sections 420, 467, 468 IPC, P.S. Ramkot, District Sitapur and for a direction to the respondents not to arrest the petitioners pursuant to the impugned FIR.

It has been submitted by the learned counsel for the petitioners that the Gram Pradhan of the Village concerned being enemy to the petitioners has filed the impugned FIR relating that the petitioners have produced a forged marksheet of class V to get license for running a fair price shop. It has further been submitted that no such forged mark sheet of the school as alleged namely Janta Primary Pathshala, Kharwalia Katsaraiya, District Sitapur has been submitted by the petitioners. The petitioners have submitted a mark sheet which was issued from Civil Convent School, Ram Nagar, District Sitapur, copy of such educational document has been filed as Annexure-2 to the writ petition.

This Court has seen Annexure-2 to the writ petition which is a School Leaving Certificate.

This Court has perused the FIR which mentions that the mark sheet of the petitioner no. 2 issued from Janta Primary Pathshala, Kharwalia Katsaraiya, District Sitapur was got verified by the District Magistrate concerned from the District Basic Education Officer and the same was found forged.

After having examined the submissions advanced by learned counsel for the parties and perused the impugned FIR, we are of the opinion that the impugned FIR discloses cognizable offence against the petitioners, hence, no

interference is called for by this Court in its extraordinary power under Article 226 of the Constitution of India for quashing of the FIR or for grant of any interim relief to the petitioners and accordingly, the present writ petition is **dismissed**.

Order Date :- 7.11.2023

AKK