

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8665 of 2023

Petitioner :- Vinod Kumar Singh And Others

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

Counsel for Petitioner :- Sunil Kumar Singh, Manish Mishra

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondents and perused the material placed on record.

This writ petition has been filed by the petitioners with the prayer to issue a writ, order or direction in the nature of Certiorari quashing the impugned F.I.R. dated 30.10.2023, registered as FIR/Case Crime No.0498 of 2023, under Sections 147, 323, 327, 504, 506, 336, 452, 308 I.P.C., P.S.-Nawabganj, District - Gonda, as contained in Annexure No.1 to the writ petition. A further prayer for issuing a writ, order or direction in the nature of Mandamus commanding and directing the respondents not to arrest the petitioners on the basis impugned FIR has been made.

Learned counsel for the petitioner submits that the petitioners are innocent and have been falsely implicated in the present case with malafide intention. Learned counsel for the petitioners further submits that initially the petitioners lodged an F.I.R. which has been filed as Annexure No.8 to the writ petition on 30.10.2023 at 11.44 hours. Subsequently, the impugned F.I.R. has been lodged on the same day at 13.52 hours. It is a subsequent F.I.R. and as a counterblast.

We have perused the F.I.R.s lodged by the petitioners and also by the respondent No.4 and we find that some altercation took place which relates to physical manhandling and assault.

This Court finds no good ground to show interference in the matter as cognizable offence is made out.

Accordingly, the writ petition is hereby **dismissed**.

Order Date :- 9.11.2023

ML/-