

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8682 of 2023

Petitioner :- Shafeeq @ Mohammad Shafeeq

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

Counsel for Petitioner :- Ravindra Prakash Ojha

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

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

This writ petition has been filed by the petitioner with the prayer to issue a writ, order or direction in the nature of Certiorari quashing the impugned FIR dated 11.10.2023, registered as FIR/Case Crime No.0355 of 2023, under Sections 3/5A/8 of the U.P. Prevention of Cow Slaughter Act, 1955 and Section 11 of the Prevention of Cruelty to Animal Act, and Section 429 of I.P.C., at P.S. - Lilapur, District - Pratapgarh, 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 petitioner on the basis impugned FIR has been made.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case with malafide intention. Petitioner has not been caught on the spot. He has been named by one of the co-accused who was caught on the spot on a raid conducted by the police. It has been further submitted that the co-accused who has named the petitioner had an old enmity with the petitioner as he was involved in the business of Maurang (Grit).

Learned A.G.A. has produced before this Court instruction sent by Sub Inspector, Police Station Lilapur, District Pratapgarh, which also enclosed a list of 10 other criminal cases registered in various police stations of the District Pratapgarh against the

petitioner.

Instructions are kept on record.

This Court having perused the F.I.R. and other material on record, finds no good ground to show interference.

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

Order Date :- 9.11.2023

ML/-