

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8668 of 2023

Petitioner :- Bhawani Singh

Respondent :- State Of Up Thru. Prin. Secy. Home And Others

Counsel for Petitioner :- Ashok Kumar, Chandra Prakash

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner and learned A.G.A. for the State-respondents and Sri Ashish Tripathi, who has produced vakalatnama on behalf of the opposite party no. 4 and he shall file the same in office.

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 dated 29.10.2023, vide case crime no. 540 of 2023 under Section 147, 302 I.P.C. and Section 3 (2) (V) of the S.C./S.T. Act, lodged at Police Station- Fullbehad, District- Lakhimpur Kheri 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 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 petitioner that in the F.I.R. itself the only role assigned to the petitioner is that of a company of the certain persons, who killed the deceased.

The Court having perused the impugned F.I.R. finds that the petitioner was involved in the alleged crime and Section 147 of the I.P.C. has also been invoked. This Court finds no ground to show interference.

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

Order Date :- 17.11.2023

Anuj Singh