

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8743 of 2023

Petitioner :- Dablu Alias Love

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

Counsel for Petitioner :- Amarjeet Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner and learned A.G.A. who appears on behalf of the State Respondents.

2. This petition has been filed with the following main prayers:-

"(i) ISSUE a writ or direction in the nature of Certiorari to quash the impugned First Information Report dated 07.10.2023 lodged at Police Station Phardhan, District Kheri, registered as Crime No. 470/2023 under Section 306 of the IPC, contained in annexure no.1.

(ii) ISSUE a writ, order or direction in the nature of Mandamus commanding and directing the opposite party no.3 not to arrest the petitioner in connection with First Information Report dated 07.10.2023 lodged at Police Station Phardhan, District Kheri, registered as Crime No. 470/2023 under Section 306 of the IPC, contained in annexure no.1, during the pendency of the writ petition."

3. It has been submitted by the learned counsel for the petitioner that the only allegation against the petitioner in the impugned F.I.R. is that he was present in the house where the deceased had gone to give money to one Bhola.

4. This Court has perused the F.I.R. and finds that the petitioner is the grandson of Bhola, who was extorting money from the deceased.

5. This Court also finds a cognizable offence to be made out from the perusal of the impugned F.I.R. and there is no good ground to show interference in the impugned F.I.R.

6. The writ petition stands ***dismissed***.

Order Date :- 9.11.2023

Darpan Sharma