

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8829 of 2023

Petitioner :- Santra Devi Alias Santra Devi Yadaw

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

Counsel for Petitioner :- Shiv Pal Singh,Ambrish Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Mrs. Jyotsna Sharma,J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

This petition has been filed with the following main prayer:-

"Issue a writ, order or direction in the nature of Certiorari thereby quash the impugned First Information Report dated 11.09.2023 lodged by the opposite party no.3/ complainant as F.I.R. No.0806/2023, Under Section-419, 420, 467, 468, 471 & 506 of the I.P.C. at Police Station- Kotwali Nagar, District- Gonda, so far as it relates to the present petitioner, as contained in Annexure no.1 to the writ petition."

It has been submitted by learned counsel for the petitioner that as per the prosecution story, he has sold off the property which he had initially sold to Hanumant Lal Mishra s/o Nagendra Prasad, during the pendency of the Suit for cancellation of such sale deed. In fact, petitioner has no role to play and he has been falsely implicated in the impugned F.I.R.

After having examined the submissions advanced by learned counsel for the parties and perused the impugned F.I.R., we are of the opinion that the impugned F.I.R. discloses cognizable offence by the petitioner, 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 F.I.R. or for grant of any interim relief to the petitioner and accordingly, the present writ petition is ***dismissed***.

Order Date :- 18.11.2023

Rahul