

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8971 of 2023

Petitioner :- Mohammad Iqbal And Another

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

Counsel for Petitioner :- Lokendra Kumar Gupta, Mirza
Humayun Qadar, Pankaj Gupta

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

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

This petition has been filed with the prayer for a direction to be issued in the nature of Certiorari quashing thereby the impugned First Information Report dated 07.11.2023 registered at Case Crime No.1192 of 2023, under Sections 420, 323, 376, 384, 506 and 120-B of the I.P.C., Police Station Kotwali, District Barabanki.

It has been submitted by learned counsel for the petitioners that the petitioners are completely innocent and the respondent no.4 is the wife of petitioner no.1 and there is a matrimonial dispute between the parties.

Learned A.G.A. has opposed the prayer for quashing of the First Information Report and submitted that cognizable offence is made out against the petitioners in the impugned F.I.R., therefore, the present writ petition is liable to be dismissed.

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 petitioners, 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 petitioners and accordingly, the present writ petition is ***dismissed***.

Order Date :- 23.11.2023

Rahul