

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8967 of 2023

Petitioner :- Irshad Abbas @ Shahanshah And 4 Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home Lko. And 3 Others

Counsel for Petitioner :- Ved Prakash Yadav

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State and Sri Sukhdev Singh, Advocate, who has filed power on behalf of the respondent no.4, which is taken on record.

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

"A writ, order or direction in the nature of certiorari thereby quashing the operation and implementation of the first information report dated 11.09.2023 lodged by the opposite party no.4 at Police Station Kotwali Nagar, District Sultanpur and registered as Case Crime no.0881/2023, under Sections 147, 307, 323, 325, 504 IPC, which has been annexed as Annexure No.1 to this writ petition, in the interest of justice."

It has been submitted by learned counsel for the petitioners that on 10.09.2023, a minor altercation occurred between two branches of the same family, as a result whereof the impugned F.I.R. has been lodged.

It has been submitted that the parties have entered into a compromise and have also submitted an application in this regard to the Incharge Inspector, Police Station Kotwali Nagar, Sultanpur, a copy of which has been filed as annexure-2 to the writ petition.

Learned counsel for the respondent no.4 has not disputed such argument raised by the counsel for the petitioners.

This petition is ***disposed of*** with a direction to the

respondent no.3- Incharge of Police Station Kotwali Nagar, District Sultanpur, to verify the compromise, if any, which has occurred between the parties and submit an appropriate report to the Court concerned expeditiously.

Till a decision is taken by the respondent no.3 on the said alleged compromise, the petitioners shall not be arrested in pursuance of the impugned F.I.R.

A copy of this order shall be produced before the respondent no.3 within a week from today.

Order Date :- 23.11.2023
Rahul