

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9029 of 2023

Petitioner :- Bhaiya Lal

Respondent :- State Of U.P. Thru. Secy. Home Civil Sectr. U.P. Govt. Lko. And Others

Counsel for Petitioner :- Pravin Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned A.G.A. for the State/respondents and perused the material placed on record.

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

"(I) Issue a writ, order or direction in the nature of certiorari quashing the impugned First Information Report dated 01.11.2023, lodged by opposite party no.4 which was registered as FIR/Crime No.0668 of 2023 at Police Station Kotwali, District Sitapur, under sections 302 I.P.C., as contained in Annexure No.1 to the writ petition, so far as it relates to the petitioner.

(II) Issue a writ, order or direction in the nature of Mandamus commanding the opposite partis not to arrest the petitioner on the basis of false First Information Report dated 01.11.2023 lodged by opposite party no.4 which was registered as FIR/Crime No.0668 of 2023 at Police Station Kotwali, District Sitapur, under sections 302 I.P.C., as contained in Annexure No.1 to the writ petition."

It has been submitted by learned counsel for the petitioner that petitioner is the close relative/grand-father of the deceased Anuj Kumar, who died in suspicious circumstances but the informant who is his cousin has lodged the F.I.R. saying that the petitioner has murdered his grand-son. It has been submitted by learned counsel for the petitioner that petitioner is illiterate and doing labour work at Hardoi and has no concern with the alleged F.I.R. There is no eye witness of the alleged incident as described in the impugned F.I.R.

This Court has gone through the F.I.R. and finds no good

ground to show interference in the matter.

Accordingly, the writ petition is hereby **dismissed**.

Order Date :- 28.11.2023

ML/-