

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9031 of 2023

Petitioner :- Mohd. Harun And Others

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

Counsel for Petitioner :- Ravindra Shukla

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/respondents and perused the record.

This writ petition has been filed by the petitioners with the prayer to issue a writ, order or direction in the nature of Certiorari to quash the F.I.R. dated 29.07.2023 bearing F.I.R. No.111/2023, Under Section 147, 148, 323, 504, 506, 307, 364 I.P.C., Police Station - Baewana, District -Ambedkar Nagar lodged by the opposite party no.4 as contained in Annexure No.1 to this Writ Petition. Further prayer has been made to issue a writ order or direction in the nature of mandamus commanding the opp. parties not to take any coercive steps against the petitioners in pursuance of the impugned F.I.R. contained in Annexure No.1 to this writ petition.

It has been submitted by learned counsel for the petitioners that the petitioners were initially not named in the F.I.R. and F.I.R. was lodged against 06 named and 18 unnamed persons. During the course of investigation, the Investigating Officer with malafide intention has implicated the petitioners also.

This Court has perused the F.I.R. and finds that several persons had attacked the brother of the informant. He had to be ultimately admitted in District Hospital for treatment in an unconscious state.

This Court finds the cognizable offence to be made out.

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

Order Date :- 28.11.2023

ML/-