

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9073 of 2023

Petitioner :- Deepu

Respondent :- State Of U.P. Thru. Secy. Home Lko. And 2 Others

Counsel for Petitioner :- Sanjay Singh Chauhan

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner and learned A.G.A. who appears on behalf of the State Respondents.

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

"i. A writ, order or directions in the nature of certiorari for quashing the impugned FIR No.-396 of 2023 U/s-354/504/506/376 IPC P.S. Manpur, District-Sitapur lodged by O.P.No.3 against the petitioner contained herewith as Annexure No.-1 to this writ petition.

ii. A writ, order or direction in the nature of mandamus commanding the Investigating Officer of FIR No.-396 of 2023 U/s-354/504/506/376 IPC P.S. Manpur, District-Sitapur not to arrest the Petitioner in the FIR lodged by the O.P.No.3."

3. It has been submitted by the learned counsel for the petitioner that the petitioner has falsely been implicated in the impugned F.I.R. The petitioner is a neighbor of the husband of the complainant and he had an altercation with her husband. As a counterblast, the impugned F.I.R. has been lodged.

4. Learned A.G.A. for the State Respondents has produced before this Court written instructions sent by Sri Tribhuwan Singh, Sub-Inspector, Police Station - Manpur, District - Sitapur which enclosed a copy of the statement recorded of the victim under Section 164 Cr.P.C. before the Magistrate concerned. The prosecutrix has supported the prosecution story.

5. This Court does not find any good ground to show interference in the impugned F.I.R.

6. The writ petition stands ***dismissed***.

Order Date :- 29.11.2023

Darpan Sharma