

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9149 of 2023

Petitioner :- Alamuddin And Another

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

Counsel for Petitioner :- Manish Singh Chauhan

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 following main prayer:-

"to issue, a writ, order or direction in the nature of CERTIORARI to quash the first information report no.335 of 2023 under section 376, 323, 506 I.P.C., Police Station- Masauli, District- Barabanki, lodged by the opposite party no.4 on 01-11-2023 which is annexed as Annexure No.1 to this writ petition."

In compliance of the order dated 01.12.2023, learned A.G.A. has produced before this Court instructions dated 11.12.2023 sent by Sri Shamshad Ali, Sub Inspector, P.S. Masauli, District Barabanki and also a copy of the Case Diary which contains the statement of the victim recorded under Section 164 Cr.P.C.

Instructions along with the copy of the Case Diary are kept on record.

After having gone through the contents of the impugned F.I.R. and the statement of the victim recorded under Section 164 Cr.P.C., we are of the opinion that, *prima facie*, the impugned F.I.R. discloses cognizable offence to have been committed 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 :- 12.12.2023

Rahul