

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9195 of 2023

Petitioner :- Ram Tej And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Civil Sectt. Lko And 3 Others

Counsel for Petitioner :- Shailendra Pathak, Ajay Singh, Km. Anjali Gautam

Counsel for Respondent :- G.A., Gaurav Shukla

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of the State Respondents. Learned counsel for the private respondent is reported to be on sanctioned leave.

This 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 22.11.2023 registered as FIR/Case Crime No.300/2023, Under Section 376-D, 506 IPC, registered at Police Station- Jarwal Road District Bahraich, as contained in Annexure No. 1 to this Writ petition.

(ii) issue a writ, order or direction in the nature of Mandamus directing the opposite parties not to arrest the petitioners in FIR/Case Crime No.300/2023, Under Section 376-D, 506 IPC, registered at Police Station- Jarwal Road District Bahraich, as contained in Annexure No. 1 to this writ petition."

Learned A.G.A. has produced instruction before this Court wherein it has been stated that the complainant in her statement recorded under Section 164 Cr.P.C. before the Magistrate concerned has named the petitioner as well. A copy of the case diary containing statement of victim recorded under Section 164 Cr.P.C. has also been produced before this Court.

The Court having perused the impugned F.I.R. and statement of the victim recorded under Section 164 Cr.P.C. finds no ground to show interference.

The writ petition is, accordingly, **dismissed**.

Order Date :- 11.12.2023

Anuj Singh