

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9198 of 2023

Petitioner :- Raghvendra Pratap Singh @ Chheddu And 2 Others

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

Counsel for Petitioner :- Mithila Bakhsh Tiwari

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Counter affidavit filed today by the learned counsel for the private respondents is taken on record.

Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of the State Respondent as well as learned counsel for the private respondents.

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 21.11.2023 lodged in Case Crime No. 0433 of 2023, Under Section 147,323,420,467,468,471, 504,506 I.P.C. at Police Station-Bakshi Ka Talab, District-Lucknow contained in Annexure No.1 to this writ petition.

(ii) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties specially police authorities not to arrest of the petitioner on the basis of impugned First Information Report dated 21.11.2023 lodged in Case Crime No. 0433 of 2023, Under Section 147,323,420,467,468,471, 504,506 I.P.C. at Police Station-Bakshi Ka Talab, District-Lucknow contained in Annexure No.1 to this writ petition."

Learned A.G.A. has produced instructions sent by Sri Ranveer Singh, Sub Inspector, Police Station-Bakshi Ka Talab, District-Lucknow wherein it has been stated that petitioners has long criminal history. Copy of the information downloaded from CCTNS CAS report website shows that petitioner is an accused in F.I.R. No. 0233 of 2018 at Police Station-Bakshi Ka Talab, F.I.R. No. 0649 of 2018 at Police Station-Bakshi Ka Talab, F.I.R. No. 1095 of 2009 at Police Station- Jalaun, F.I.R.

No.1258 of 2013 at Police Station-Kotwali Katra, District-Mirzapur and F.I.R. No. 0228 of 2014 at Police Station-Bakshi Ka Talab.

This Court has gone through the pleading of the writ petition and finds that petitioners have not disclosed this fact.

This is a settled law that a litigant while invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India should come with clean hands and disclose all facts, which are in his knowledge.

This Court cannot intervene in equitable jurisdiction on behalf of a litigant, who is not honest.

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

Order Date :- 11.12.2023

Anuj Singh