

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9208 of 2023

Petitioner :- Hemraj

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

Counsel for Petitioner :- Mohd. Muballi Gussalam

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 AGA for the State-respondents.

2. The instant writ petition has been filed by the petitioners with the following reliefs:

"i) issue a writ, order or direction in the nature of Certiorari quashing the impugned First Information Report dated 07.11.2023 registered as Case Crime No.1056 of 2023, under section 419, 420, 467, 468, 471 I.P.C. at Police Station-Kotwali, District-Sultanpur contained as Annexure no.1 to this writ petition.

ii) Issue a writ, order in the nature of Mandamus commanding and directing the respondents authorities not to take any coercive measure against the petitioner in pursuance of the impugned First Information Report dated 07.11.2023 registered as Case Crime No.1056 of 2023, under section 419, 420, 467, 468, 471 I.P.C. at Police Station- Kotwali, District-Sultanpur contained as Annexure no.1 to this writ petition."

3. It has been submitted by learned counsel for the petitioner that the petitioner is a Sub-Inspector and no enquiry as required under the Uttar Pradesh Police Officers of the Subordinate Ranks (Punishment and Appeal) Rules, 1991 was conducted before the FIR was lodged.

4. This Court has gone through the impugned F.I.R. and it appears that the petitioner was selected in the direct recruitment held for the year 2020-2021 and for selection he had produced forged certificate of being dependent of a freedom fighter. He was sent for training. During the course of training the respondents carried out an enquiry regarding the certificate of

Scheduled Caste and dependents of the petitioner of a freedom fighter and it was found that all the certificates were forged. A copy of the fact finding enquiry that was held is being enclosed along with the impugned FIR, which has been lodged under various sections of the Indian Penal Code. Hence, this Court finds no good ground to show interference as prayed in this petition.

5. The Writ Petition is, accordingly, **dismissed**.

Order Date :- 4.12.2023

Arnima