

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9302 of 2023

Petitioner :- Munish And Others

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

Counsel for Petitioner :- J.B. Singh,Vineet Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

(1) Heard the learned counsel for the petitioners and the learned A.G.A. who appears for the Opposite party nos.1, 2 & 3.

(2) This petition has been filed by the petitioners for the following main prayer:-

"1) Issue a writ, order or direction in the nature of Certiorari quashing the impugned First Information Report dated 24.11.2023 registered as F.I.R. No.0538/2023 lodged at Police Station Kheeri, District Kheri, under Sections 147, 302, 506 I.P.C., against the petitioners and 2 others, as it relates to the petitioners."

(3) It has been submitted by the learned counsel for the petitioners that the petitioners have been falsely implicated in the impugned F.I.R. by the Opposite party no.4 because of political enmity. The allegation of the Opposite party no.4 that they had caused the death of his son- Laureb, is not made out.

(4) From a perusal of the Inquest Report and the Post Mortem Report wherein the body of the deceased was found hanging from the ceiling of a house which was being looked up by the deceased himself.

(5) It has been submitted that the F.I.R. has been lodged with a huge delay by moving an application under Section 156 (3) Cr.P.C. It has also been submitted that at the time of making an application for inquest the Opposite party no.4 had not mentioned the names of the petitioners or anyone and no suspicion of murdering of the deceased was mentioned and now after three and half months, the story of the petitioners being involved in the murder of the deceased-Laureb, the son of the informant, has been

cooked up only to harass the petitioners.

(6) We have gone through the F.I.R. which has been lodged after an application under Section 156 (3) Cr.P.C. was moved before the Magistrate concerned, we find no good ground to show interference in the matter.

(7) The writ petition stands ***dismissed***.

Order Date :- 7.12.2023

N.PAL