

Court No. - 10

Case :-CRIMINAL MISC. WRIT PETITION No. - 9329 of 2023

Petitioner :- Dharmendra Kumar (Local Collection Agent)

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

Counsel for Petitioner :- Shrawan Kumar, Deepshikha
Singh, Pankaj Kumar Sahu, Shrawan Kumar Verma

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

This petition has been filed with the following main prayer:-

"issue a writ order or direction in the nature of CERTIORARI quashing the impugned F.I.R. dated 25.11.2023, lodged by the O.P. no.4 against the petitioner as Crime No.0829/2023, U/Ss 409, 420, 406 I.P.C. at P.S. Kotwali City, District Hardoi contained as Annexure no.1 to this writ petition."

It has been submitted by learned counsel for the petitioner that the petitioner only an employee and he has been falsely implicated.

This Court has perused the contents of the F.I.R., which are quite detailed and which has been lodged after a preliminary fact finding enquiry has been done by the Department i.e. Madhyanchal Vidyut Vitran Nigam Ltd. (MVVNL) Electricity Distribution Division II, Hardoi, wherein some 2189 consumers had complained to the Executive Engineer regarding embezzlement of the amount that have been deposited by them as electricity bills.

After having examined the submissions advanced by learned counsel for the parties and perused the impugned F.I.R., we are of the opinion that, *prima facie*, the impugned F.I.R. discloses cognizable offence to have committed by the petitioner, 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 petitioner and accordingly, the present writ petition is **dismissed**.

Order Date :- 11.12.2023

Rahul