

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9463 of 2023

Petitioner :- Nafees Ahmad @ Sibbu And Others

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

Counsel for Petitioner :- Syed Husain Abbas, Irshad Ali, Syed Suleman Abbas

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners and learned A.G.A. for the State-respondents.

This petition has been filed praying the following reliefs:-

(a) Issue a writ, order or direction in the nature of certiorari thereby quashing the impugned first information dated 2.6.2023, vide case crime no. 196 of 2023 under Section 376-D, 506 IP.C., lodged at Police Station- Manpur, District- Sitapur as contained in Annexure-1 to this writ petition.

(b) Issue a writ, order or direction in the nature of mandamus commanding the opposite party no 3 not to harass, detain or prosecute the petitioner in pursuance of the impugned F.I.R.

It has been submitted by the learned counsel for the petitioners that the petitioners have been falsely implicated in the impugned F.I.R. Dispute is matrimonial in nature but the allegation is the F.I.R. that the petitioners are pressurizing the informant in to prostitution and on her refusal she was raped by the petitioner.

The Court having perused the impugned F.I.R. and it is detailed version of the harassment that the opposite party no. 4 faced at the hands of the petitioners. The F.I.R. makes out cognizable offence to have been made out by the petitioner, therefore, this Court finds no ground to show interference.

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

Order Date :- 14.12.2023

Anuj Singh