

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 9481 of 2023

**Petitioner :-** Aman Thru. His Father Prakash And Others

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

**Counsel for Petitioner :-** Mohammad Abbas Zaidi

**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.

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

*"Issue a writ, order or direction in the nature of certiorari to quash the impugned First Information Report dated 29.11.2023, lodged at Police Station Maholi, District Sitapur, registered at case crime No.0708/2023 under section 302/201 IPC, contained in Annexure No.1."*

It has been submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the impugned F.I.R. The F.I.R. has been lodged through an application under Section 156 (3) of the Cr.P.C. after nearly two months from the death of the son of the informant.

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 been committed by the petitioners, 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 petitioners and accordingly, the present writ petition is ***dismissed***.

In case, the petitioner no.1 is minor, his guardian shall produce the educational certificates before the Investigating Officer, who shall produce the petitioner no.1 before the Juvenile Justice Board for appropriate action in accordance with law.

**Order Date :-** 15.12.2023

Rahul