

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9508 of 2023

Petitioner :- Geeta Kumari And Others

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

Counsel for Petitioner :- Sanjai Kumar Singh, Rani Yadav

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-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 28.11.2023, vide case crime no. 655 of 2023 under Section 504, 323, 147, 308, 427, 336, 394 IP.C., lodged at Police Station-Sushant Golf City District- Lucknow 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 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. lodged by the opposite party no. 4, who is employee of the company-Amravati Residency Private Limited and the company wants to encroach the land of the petitioners, therefore, the impugned F.I.R. has been lodged.

The Court having perused the impugned F.I.R. finds in the F.I.R. allegations has been made against the petitioners and others belonging to altercation thereafter beating Manager and employees of the Amravati Residency Private Limited.

The F.I.R. clearly shows that CCTV footage has been relied upon as mentioned in detail the vehicle registration number, which was damaged during the said incident.

This Court finds that cognizable offence made out. Therefore, there is no ground to show interference.

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

Order Date :- 15.12.2023

Anuj Singh