

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9589 of 2023

Petitioner :- Jaswant Kumar Rawat

Respondent :- State Of U.P. Thru. Prin. Secy., Deptt. Of Home, Lucknow And Others

Counsel for Petitioner :- Rajan Mishra, Pratyush Rawat, Soumya Dixit

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner, learned A.G.A. for the State/respondents and perused the material placed on record.

This writ petition has been filed by the petitioner with the prayer to issue a writ, order or direction in the nature of Certiorari quashing the impugned FIR dated 24.10.2023, registered as FIR/Case Crime No.0445 of 2023, under Sections 419, 420, 467, 468, 471 of I.P.C., P.S.-Jaidpur, District - Barabanki, as contained in Annexure No.1 to the writ petition. A further prayer for issuing a writ, order or direction in the nature of Mandamus commanding and directing the respondents not to arrest the petitioner on the basis impugned FIR has been made.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case only due to the long running enmity between the petitioner and the informant. This Court has perused the F.I.R. from which it is evident that the accused Guddu and Jaswant had approached the villagers including the informant saying that they will help in opening bank account in HDFC Bank where every month government would give Rs.1000/- and other direct benefits will also be available in the said bank accounts to the account holders. Several villagers had opened accounts by going to the Jan Seva Kendra of Ranjit, where alleged bank employees of the HDFC had given them assurance that their accounts have been opened in HDFC and Guddu had handed over Rs.1000/- cash to each of the villagers. When the son of informant had gone to the Bank at Kurshi, Barabanki and got pass-book printed, it was discovered that there were a lot of monetary transactions in the bank account which the informant had not done. When the informant tried to close the bank account, the

employees of the Bank told him that the ATM and check books should be returned before account can be closed. However, no ATM or Check Book was ever received by the informant. Therefore, the account could not be closed.

We have gone through the F.I.R. and from the perusal of the F.I.R. cognizable offence is made out against the petitioner.

This Court finds no good ground to show interference in the matter. Accordingly, the writ petition is hereby **dismissed**.

Order Date :- 19.12.2023

ML/-