

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9603 of 2023

Petitioner :- Amit

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

Counsel for Petitioner :- Mr.Gyanendra Singh

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 29.11.2023, vide case crime no. 332 of 2023 under Section 467, 468, 471, 419, 420 I.P.C., lodged at Police Station- Ajgain, District- Unnao 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 petitioner that the petitioner is completely innocent and no specific role has been assigned to the petitioner in the impugned F.I.R. The petitioner some how pressurizing or enticing complainant into buying the land from Ram Kishore and Noor Mohammad.

This Court having perused the F.I.R. it appears that Ram Kishore and Noor Mohammad had alleged themselves to be owner of the Gata No. 176 situated at Village Maddokhera, Pargana- Gaurinda Parsandan, Tehsil- Hasanganj, District- Unnao and the informant made to believe that the land in question belongs to them and he had given two cheques of Rs. 7 lacs each and Rs. 1 lac in cash a total of Rs. 15 lacs for buying the said property.

It appears that an imposter was posing himself as to be real tenure holder as a result whereof the informant had been fooled into buying land from a person, who was not entitled to sell it.

The Court having perused the impugned F.I.R. finds that the cognizable offence is made out and therefore, there is no ground to show interference.

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

Order Date :- 19.12.2023

Anuj Singh