

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9607 of 2023

Petitioner :- Mohammad Sabir (In Fir Sabir)

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

Counsel for Petitioner :- Vinod Mishra,Km. Shilpi

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned AGA who appears on behalf of State-respondents and perused the record.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Certiorari for quashing of the First Information Report dated 15.10.2023 registered as FIR No. 344 of 2023 under Sections 354, 504, 506 IPC and Section 7/8 of POCSO Act, P.S. Kurwar, District Sultanpur and for a direction to the respondents not to arrest the petitioner pursuant to the impugned FIR.

It has been submitted by the learned counsel for the petitioner that the petitioner is relative of the opposite party no. 4 who want to marry her daughter to the petitioner, therefore, the impugned FIR has been lodged to pressurize the petitioner to marry with the daughter of opposite party no. 4.

This Court has perused the impugned FIR from which it is evident that the informant's husband is a '*Bawarchi*' who went out for his work and the informant was living along with her four children including the daughter who was 16 years old and three others. The petitioner had gone to the house of the informant and he was treated well as guest but at late night the petitioner molested the 16 years old daughter of the informant and also made a video of the entire incident to blackmail her, hence, the impugned FIR has been lodged.

After having examined the submissions advanced by learned counsel for the petitioner and perused the impugned FIR, we are of the opinion that the impugned FIR discloses cognizable offence against the petitioner, 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 FIR or for grant of any interim relief to the petitioner and accordingly, the present writ petition is **dismissed**.

Order Date :- 19.12.2023

AKK