

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9727 of 2023

Petitioner :- Rahul Singh Alias Rahul Somvanshi

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

Counsel for Petitioner :- Bhup Chandra Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioners and learned A.G.A. for the State-respondents.

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

"(i) Issue a Writ, order or direction in the nature of Certiorari for quashing the impugned First Information Report so far as it relates with the present Petitioner vide F.I.R. No.0400/2023 registered at Police Station- Gosaiganj, District- Lucknow on 09.09.2023 under section 419, 420, 467, 468, 471, 506 IPC contained as Annexure No. 1 in the interest of justice.

(ii) Issue a writ order or direction in the nature of Mandamus Commanding and directing the opposite parties particularly opposite party no. 2 & 3 not to arrest and harass the petitioner in pursuance of the impugned First Information Report No. 0400/2023 registered at Police Station- Gosaiganj, District- Lucknow on 09.09.2023 under section 419, 420, 467, 468, 471, 506 IPC, in the interest of justice."

3. It has been submitted by learned counsel for the petitioner that the petitioner has no role to play and he is only the son of the Managing Director of Swastik Infrahousing Pvt. Ltd. which is a private builder and which sells lots of lands as well as houses.

4. The allegation against the petitioner is of only being instrumental in the informant meeting his father Anil Kumar Singh who is the Managing Director.

5. This Court has perused the F.I.R. which gives detailed description of how the informant was fooled by the petitioner, his father and other employees of Swastik Infrahousing Pvt.

Ltd. This Court therefore, finds that a cognizable offence is made out. There is no good ground to show interference hence, the writ petition is dismissed.

Order Date :- 21.12.2023

Saurabh Yadav/-