

Court No. - 29

Case :- CRIMINAL MISC. WRIT PETITION No. - 6273 of 2018

Petitioner :- Manoj Chaubey And 05 Othrs

Respondent :- State Of U.P. And 02 Others

Counsel for Petitioner :- Tahir Husain

Counsel for Respondent :- G.A.

Hon'ble Govind Mathur,J.

Hon'ble Ashok Kumar,J.

Heard Sri Tahir Husain, learned counsel for the petitioners, learned AGA for the respondents-State and perused the record.

This petition for writ under Article 226 of Constitution of India is preferred with a prayer to quash the first information report bearing Case Crime No. 189 of 2018 pending investigation at Police Station Surajpur, District Gautam Budh Nagar pertaining to offence punishable under Sections 147, 186, 342, 353, 504, 511 of I.P.C.

Learned counsel for the petitioners submits that no case is made out against the petitioners with regard to allegations contained in the first information report.

A perusal of the first information report discloses commission of an offence cognizable that certainly demands investigation.

In view of it, we do not find any just reason to quash the first information report impugned. However, having considered all facts of the case and the surrounding circumstances, we deem it appropriate to direct Station House Officer, Police Station Surajpur, District Gautam Budh Nagar not to arrest the petitioners- **Manoj Chaubey, Nar Singh, Pradeep Kumar Dagar, Ashok Kumar Choudhary, Manohar Saini and Ranjit Mistry** in relation to the first information report referred above till filing of police report as per sub-Section (2) of Section 173 of Cr.P.C. The petitioners shall cooperate the Investigating Agency during course of investigation.

The writ petition stands disposed of accordingly.

Order Date :- 15.3.2018

Shubham

(Ashok Kumar,J.)

(Govind Mathur,J.)