

Allahabad High Court

Mohammad Inam @ Namu vs State Of U.P. & Others on 28 June, 2010

Court No. - 37

Case :- CRIMINAL MISC. WRIT PETITION No. - 11053 of 2010

Petitioner :- Mohammad Inam @ Namu

Respondent :- State Of U.P. & Others

Petitioner Counsel :- Anil Srivastava

Respondent Counsel :- Govt. Advocate

Hon'ble Ashok Bhushan,J.

Hon'ble Yogesh Chandra Gupta,J.

Heard learned counsel for the petitioner and the learned AGA. By this writ petition, the petitioner has prayed for quashing of the FIR in Case Crime No.372 of 2010, under Sections 323, 342, 363 IPC and Sections 3, 5, 6 of Immoral Trafficking(Prevention) Act, P.S. Brahampuri, District Meerut.

Learned counsel for the petitioner contends that no offence is made against the petitioner under the aforesaid Sections.

A perusal of FIR discloses prima facie commission of offence, we are of the view that it is not a fit case for exercise of jurisdiction under Article 226 of the Constitution of India. However, it is provided that in case petitioner surrenders before the Court concerned within 15 days from today and applies for bail, the same shall be considered by the court below expeditiously keeping in view of the Judgment of the Apex Court in the case of Lal Kamendra Pratap Singh Vs. State of U.P. & others, reported in 2009 (2) S.C.C.(CrI.) 330.

In view of the aforesaid, the writ petition is disposed of.

Order Date :- 28.6.2010 Mustaqeem.