

Allahabad High Court

Majeed S/O Ramjan & Ors. vs State Of U.P. Thru Secretary Home & ... on 13 July, 2010

Court No. - 20

Case :- MISC. BENCH No. - 6453 of 2010

Petitioner :- Majeed S/O Ramjan & Ors.

Respondent :- State Of U.P. Thru Secretary Home & Ors.

Petitioner Counsel :- R.P. Ojha

Respondent Counsel :- G.A.

Hon'ble Raj Mani Chauhan,J.

Hon'ble Virendra Kumar Dixit,J.

Heard learned counsel for the petitioners and learned A.G.A. for the State as well as perused the record.

This writ petition under Article 226 of the Constitution of India has been filed by the petitioners for quashing the impugned First Information Report dated 27.6.2010 lodged by the Opposite Party No. 4 at Crime No. 672/2010, under Sections 363/366 IPC registered at Police Station Kotwali Nagar, District Gonda and also for direction to the opposite parties not to arrest them in pursuance of the said impugned First Information Report.

The submission of learned counsel for the petitioners is that the Petitioner No. 1 (Majeed) is the father of the main accused who is aged about 72 years. As per version of the First Information Report, no role has been assigned to the Petitioner No. 1. Learned counsel further submits that no role has been assigned to the Petitioner Nos. 2 and 3 too. Therefore, they need interim protection.

We have gone through the contents of the impugned First Information Report which disclose the commission of cognizable offence and as such it cannot be quashed.

The writ petition is, therefore, dismissed.

However, keeping in view the facts and circumstances of the case, it is provided that if the petitioners appear before the court below and move any application for bail, the same shall be heard and decided by the courts below expeditiously.

Order Date :- 13.7.2010 Santosh/-