

Allahabad High Court

Shahid & Others vs State Of U.P. & Another on 19 January, 2010

Court No. - 32

Case :- CRIMINAL MISC. WRIT PETITION No. - 14112 of 2008

Petitioner :- Shahid & Others

Respondent :- State Of U.P. & Another

Petitioner Counsel :- M.A. Khan

Respondent Counsel :- Govt. Advocate

Hon'ble R.K. Agrawal,J.

Hon'ble S.C. Agarwal,J.

It has been stated by the learned Addl. Government Advocate that the charge-sheet in this matter has been submitted against petitioner nos. 2, 4 and 9 whereas against petitioner nos. 1, 3, 5, 6, 7 and 8, there is no evidence. Filing of the charge-sheet against petitioner nos. 2, 4 and 9 would mean that the allegations in the FIR have been prima-facie corroborated by evidence collected during investigation. In such a situation, it would not be appropriate to enter into questions of fact and to quash the first information report. Moreover the petition has become infructuous in respect of petitioners no. 1, 3, 5, 6, 7 and 8.

Consequently, we dismiss this writ petition without expressing any opinion on the merits of the case.

Order Date :- 19.1.2010 KU