

Allahabad High Court

Vedpal & Another vs State Of U.P. & Others on 30 June, 2010

Court No. - 37

Case :- CRIMINAL MISC. WRIT PETITION No. - 11423 of 2010

Petitioner :- Vedpal & Another

Respondent :- State Of U.P. & Others

Petitioner Counsel :- Ram Surat Saroj, Naveen Kumar

Respondent Counsel :- Govt. Advocate

Hon'ble Ashok Bhushan, J.

Hon'ble Yogesh Chandra Gupta, J.

Heard learned counsel for the petitioners and learned AGA for State.

By means of this writ petition the petitioners have prayed for quashing of FIR dated 13.6.2010 in case Crime No. 309 of 2010, under Section 308 I.P.C., Police station Dankaour, District Gautam Budh Nagar.

A perusal of the FIR prima-facie discloses commission of offence, hence, it is not a fit case for interference in writ jurisdiction under Article 226 of the Constitution of India. However, looking to the facts and material brought on record, we provide that till the report under Section 173 (2) Cr.P.C. is submitted, the petitioner be not arrested in pursuance of case Crime No. 309 of 2010, under Section 308 I.P.C., Police station Dankaour, District Gautam Budh Nagar In view of the aforesaid, the writ petition is disposed of.

Order Date :- 30.6.2010 Zh