

Chhedalal vs State Of U.P. And 3 Others on 30 May, 2022

Bench: Ashwani Kumar Mishra, Rajnish Kumar

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Court No. - 44

Case :- CRIMINAL MISC. WRIT PETITION No. - 6325 of 2022

Petitioner :- Chhedalal

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rajat Agarwal, Virpratap Singh

Counsel for Respondent :- G.A.

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Rajnish Kumar, J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

This writ petition has been filed with the prayer to quash the First Information Report dated 04.05.2022, registered as Case Crime No.0063 of 2022, under Sections 420, 467, 468, 471, 272, 273 IPC and Section 59 of the Food Safety and Standards Act, 2006, Police Station-Jalalpur, District-Hamirpur.

Whether the allegation against the petitioner are made out or not infact is not an issue which could be examined by us in a writ petition at the threshold. There are specific allegation in the FIR with regard to commissioning of cognisable offence under the Food Safety and Standards Act, 2006 as also under the Indian Penal Code and the person who has been arrested and from who recovery etc. is made, has implicated the petitioner.

Whether the implication is right or not, is an aspect to be examined by the investigating officer during the course of investigation. We are not justified in scuttling the investigation at this stage on the petitioner's contention that he has no role to play in the matter.

Writ petition is, accordingly, dismissed.

Order Date :- 30.5.2022 n.u.