

(2002) 07 AHC CK 0026

In the Allahabad High Court

Case No : Criminal Miscellaneous Writ Petition No. 3766 of 2002

Nabab and Another

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 23-07-2002

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2002) CriLJ 4580

Hon'ble Judges : M. Katju, J;D.R. Chaudhary, J

Bench : Division Bench

Advocate : Pankaj Kumar Tyagi and Archana Tyagi, for the Appellant; A.G.A., for the Respondent

Final Decision : Dismissed

Judgement

1. Heard learned counsel for the parties.
2. We have perused the impugned F.I.R. dated 3-6-2002 which has been challenged in this petition.
3. A perusal of the F.I.R. shows that prima facie an offence is made out. Hence we are not inclined to interfere under Article 226 of the Constitution.
4. The allegation in the F.I.R. shows how casteism in our society is still prevailing today. The caste system is a feudal arid backward institution and has to be destroyed as quickly as possible if we want our nation to progress. The caste system in our society today has become a curse and an obstacle to the progress of our country. The allegation in the F.I.R. shows that the petitioners are Goojar (OBC) by caste and they allegedly abused and assaulted a lady who is "Chamar" by caste. They tore her blouse and tried to strip her and called her "Chamari." They also beat her with fists and blows. This Court will not tolerate this kind of behaviour as our nation is unable to progress because of casteism.
5. The petition is, therefore, dismissed. However, the bail application of the

petitioner shall be decided by the Court concerned expeditiously.