

(2009) 04 AHC CK 0563
In the Allahabad High Court

Shalini Singh

APPELLANT

Vs

State of U.P. Thr.The S P Hardoi

RESPONDENT

Date of Decision : 21-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0563

Hon'ble Judges : S.K.SINGH, J and Raj Mani Chauhan, J

Final Decision : Disposed Of

Judgement

Raj Mani Chauhan, J.

Heard Sri R. P. Singh, learned Advocate in support of this petition.

Prayer in this petition is for quashing the first information report registered at crime no. 686A of 2007, under Section 328/304 I.P.C., Police Station Beniganj, district Hardoi and to direct the opposite party not to arrest the petitioner pursuant to the aforesaid first information report.

Various aspects which deals the factual dispute were argued by the learned counsel.

On the facts, this Court is of the view that no case has been made out either for quashing the first information report or staying the arrest of the petitioners by this Court in exercise of jurisdiction under Article 226 of the Constitution of India as the F.I.R. discloses commission of cognizable offence.

Accordingly this Court declines to intervene in the matter.

Accordingly, this petition is dismissed.

However, if the petitioners surrender and apply for bail, the court below may dispose of the bail application in the light of the law laid down by the Full Bench of this Court in the case of Smt. Amrawati Vs. State of U. P. reported in 2004 (57) ALR 390.