
(2012) 06 AHC CK 0057

In the Allahabad High Court

Case No : Criminal Miscellaneous Writ Petition No. 6931 of 2012

Sohrab Khan and Another

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 04-06-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 420, 468, 471

Citation : (2012) 06 AHC CK 0057

Hon'ble Judges : Arun Tandon, J and Surendra Kumar, J

Final Decision : Disposed Of

Judgement

Surendra Kumar, J.—Heard learned Counsel for the petitioners and learned AGA for the State.

This petition has been filed by the petitioners Sohrab Khan and Samir Khan with a prayer to quash the FIR of Case Crime No. 150 of 2012 under sections 420, 468 and 471, IPC, Police Station C.B. Ganj, District Bareilly.

2. From the perusal of the FIR it appears that on the basis of allegations made therein a prima facie cognizable offence is made out. There is no scope for interference in the FIR. Therefore, the prayer for quashing the impugned FIR is refused.

3. However, considering the nature of the allegations made in the FIR, the provisions of section 157, Cr.P.C. and the view taken by the Apex Court in the case of Joginder Kumar v. State of U.P., 1994 (31) ACC 431 (SC) it is directed that the petitioners shall not be arrested in above mentioned case, till submission of the chargesheet.

4. With the above direction, this petition is finally disposed of.