

**Court No. - 44**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 5620 of 2022

**Petitioner :-** Pankaj Kaushik Alias Pravesh Kumar And 4 Others

**Respondent :-** State Of U.P. And 2 Others

**Counsel for Petitioner :-** Ashutosh Kumar Mishra

**Counsel for Respondent :-** G.A.

**Hon'ble Ashwani Kumar Mishra,J.**

**Hon'ble Rajnish Kumar,J.**

This writ petition has been filed with the prayer to quash the First Information Report registered as Case Crime No.272 of 2022, under Sections- 406, 420 I.P.C., Police Station- Bannadevi, District- Aligarh.

It is stated that the F.I.R. contains false averments and on account of dispute between informant and the petitioners, the petitioners have been falsely implicated.

The petition is being opposed by learned A.G.A.

We have perused the First Information Report and find that prima facie cognizable offence is disclosed in the First Information Report, and therefore the prayer to quash the First Information Report is declined.

It is, however, provided that in the event maximum punishment for the offence is below 07 years, the authorities shall comply with the provisions contained under Section 41-A of the Code of Criminal Procedure.

Subject to the observations made above, this writ petition stands **disposed off**.

**Order Date :-** 16.5.2022

Haseen U.