

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 11643 of 2023

Petitioner :- Supriya Gupta And Another

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

Counsel for Petitioner :- Vishal Jaiswal

Counsel for Respondent :- G.A.

Hon'ble Anjani Kumar Mishra,J.

Hon'ble Vivek Kumar Singh,J.

Heard learned counsel for the petitioners and Sri Sushil Kumar Mishra, learned counsel for the first informant and learned AGA for the State.

The writ petition seeks quashing of the F.I.R. dated 13.3.2023 giving rise to Case Crime No.0155 of 2023, under Sections 406 I.P.C., Police Station- Kotwali, District- Kannauj.

The contention of learned counsel for the petitioners is that the first information report alleges advance of money and it's non-refund and non grant of benefits under the payment advanced. The dispute between the parties is civil dispute which has been given colour of criminality.

Matter requires consideration.

Counsel for the first informant and learned A.G.A. may file counter affidavit within a period of three weeks. Rejoinder affidavit, if any, be filed within a period of two weeks, thereafter.

List, thereafter.

Till the next date of listing, the petitioners may not be arrested consequent to the impugned F.I.R. dated 13.3.2023 giving rise to Case Crime No.0155 of 2023, under Sections 406 I.P.C., Police Station- Kotwali, District- Kannauj.

This protection shall be available either till the next listing or till submission of police report under Section 173(2) Cr.P.C., whichever is earlier. It is also provided that the petitioner shall fully cooperate in the investigation, failing which they shall not be entitled to the benefit of this order.

Order Date :- 26.7.2023

Dev/-