

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 1834 of 2025

**Petitioner :-** Sunil Yadav And 2 Others

**Respondent :-** State Of U.P. Thru. Prin. Secy. Home Lko. And 3 Others

**Counsel for Petitioner :-** Adarsh Shukla, Prince Singh

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

**Hon'ble Vivek Chaudhary, J.**

**Hon'ble Brij Raj Singh, J.**

1. Heard learned counsel for the petitioners, learned AGA for the State-opposite parties no.1 and 3 and perused the record.
2. The petitioners seek issuance of a writ in the nature of Certiorari for quashing of the First Information Report dated 18.02.2025 bearing Case Crime No.70 of 2025, under Sections 191(2), 318(4), 329(3), 338, 336(3), 340(2), 324(4), 115(2), 352, 351(2) of Bharatiya Nyaya Sanhita, 2023, Police Station Bheera, District Kheri.
3. Submission of learned counsel for petitioners is that dispute is purely civil/revenue in nature and the Lekhpal has already passed appropriate orders for correcting the revenue records.
4. In view of the aforesaid facts, a case for consideration is made out.
5. Issue notice to opposite party no.4.
6. Office shall submit service report by affixing computer generated tracking report.
7. Let counter affidavit be filed within three weeks.
8. List after three weeks.
9. Considering the submissions made, it is provided that till the next date of listing, the petitioners shall not be arrested on the basis of the impugned First Information Report, unless sufficient and credible evidence is available against them. The petitioners shall, however, cooperate in the investigation and

get their statement recorded before the Investigating Officer as and when they are called. If they do not do so, then it can be made a ground for seeking vacation of this interim order.

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**(Brij Raj Singh, J.) (Vivek Chaudhary, J.)**

**Order Date :- 4.3.2025**

Rao/-