

Mansoor Ali Vs State of U.P.Through The Principal Secy.And Others

Court: Allahabad High Court (Lucknow Bench)

Date of Decision: June 15, 2009

Hon'ble Judges: Abdul Mateen, J and Virendra Kumar Dixit, J

Final Decision: Dismissed

Judgement

V. K. Dixit, J.

Heard learned counsel for the petitioner and learned Additional Government Advocate. Gone through the record.

Under challenge in this writ petition is F.I.R. relating to case crime No. CC.152 of 2009 under Sections 323, 504, 506, 324 & 326 IPC read with

Section 3 (1) (X) SC/ST Act of Police Station Baldirai, district Sultanpur.

Submission of learned counsel for the petitioner is that the petitioner is named and known as Mansoor Ali son of Ummat Din, but the police of

police station Baldirai, district Sultanpur is involving the petitioner in the aforesaid case crime number treating him to be Kisan son of Umadin. It is

submitted that the petitioner is in no way concerned with the commission of the crime alleged in the impugned F.I.R.

In exercise of powers under Article 226 of the Constitution of India, this Court will not fix the identity of the petitioner whether he is Mansoor Ali

son of Ummat Din or Kisan son of Umadin. It is for the investigating agency to go into this aspect of the matter. Even otherwise, the impugned

F.I.R discloses commission of cognizable offence, and, as such, the same cannot be quashed.

The writ petition is misconceived and is accordingly dismissed.