

(1998) 12 AHC CK 0084

Allahabad High Court

Case No: Criminal M.W.P. No. 11189 of 1995

Rajesh Kumar Singh and Others

APPELLANT

Vs

Superintendent of Police and
Others

RESPONDENT

Date of Decision: Dec. 2, 1998

Citation: (1999) 3 ACR 2773

Hon'ble Judges: R.K. Singh, J; B.K. Roy, J

Bench: Division Bench

Final Decision: Dismissed

Judgement

B.K. Roy and R.K. Singh, JJ.

The prayer of the Petitioner is to quash the first information report as contained in Annexure-II to the writ petition.

2. Sri Y.S. Saxena, learned Counsel appearing in support of the writ Petitioner contended that the first information report is really a counter blast to the earlier first information report lodged by the Petitioner. Besides, the facts and circumstances pointed out in the writ petition, have not been dubbed to be incorrect in the counter-affidavit filed by the Respondents and accordingly the relief prayed for be granted.

3. By now it is well-settled by a catena of decisions of the Supreme Court that this Court cannot examine the correctness of the allegations made in the first information report. A perusal of the first information report *prima facie* shows commission of offence by the Petitioner.

4. For the reasons aforementioned this writ petition is dismissed.

5. The office is directed to handover a copy of this order within one week to Sri Sudhir Mehrotra, learned A.G.A. for its communication to the authority concerned.