

**Court No. - 1**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 8561 of 2020

**Petitioner :-** Asad Khan

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

**Counsel for Petitioner :-** Mahendra Tripathi, Mahendra Tripathi

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

**Hon'ble Ramesh Sinha, J.**

**Hon'ble Samit Gopal, J.**

Sri Bal Krishna Pandey, learned counsel for the respondent no.3 states that he has filed his power in the Registry of this Court on 31.8.2020, but the same is not on record. Office is directed to trace out the same and place it on record.

Learned A.G.A. has produced copy of the post/enclosures of the F.I.R. which runs in 8 pages, the same is taken on record.

Heard Sri Mahendra Tripathi, learned counsel for the petitioners, Sri Bal Krishna Pandey, learned counsel for the complainant, Sri A.K.Sand, learned A.G.A. appearing for the State and perused the impugned F.I.R. as well as material brought on record.

The relief sought in this petition is for quashing of the F.I.R. dated 26.12.2019, registered as Case Crime No.808 of 2019, under Sections 153-A, 153-B, 505(1) (b) I.P.C., Police Station Jagdishpura, District Agra. Learned counsel for the petitioner submits that the petitioner is a student and has been falsely implicated in the present case with malafide intention for the purpose of harassment. He further submitted that the petitioner has only liked the post which was sent him on his social media and has not shared or forwarded the same to any one. The allegation levelled against the petitioner is absolutely false, frivolous and baseless. No offence is made out against the petitioner, hence, FIR is liable to be quashed.

Learned counsel for the complainant as well as learned A.G.A. opposed the prayer for quashing of the F.I.R. which discloses cognizable offence and submitted that the petitioner not only liked the post but also made comment and forwarded the same.

After having examined the submissions advanced by learned counsel for the parties and perused the impugned FIR, we are of the opinion that the impugned FIR discloses cognizable offence against the petitioner, hence, no interference is called for by this Court in its extraordinary power under

Article 226 of the Constitution of India for quashing of the FIR or for grant of any interim relief to the petitioner.

The petition lacks merit and is, accordingly, **dismissed**.

The party shall file computer generated copy of order downloaded from the official website of High Court Allahabad, self attested by it alongwith a self attested identity proof of the said person (s) (preferably Aadhar Card) mentioning the mobile number (s) to which the said Aadhar Card is linked, before the oncerned Court/Authority/Official.

The concerned Court/Authority/Official shall verify the authenticity of the computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.

(Samit Gopal, J.) (Ramesh Sinha, J.)

**Order Date :- 22.10.2020**

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