

WPCRL No. 944 of 2011

with

CLMA No. 11267 of 2011

Hon'ble Prafulla C. Pant, J.

Mr. B.S. Adhikari, Advocate, present for the petitioner.

Mr. M.A. Khan, Brief Holder, present for the State.

Heard.

By means of this writ petition moved under Article 226 of Constitution of India, the petitioner has sought quashing of the first information report dated 02.10.2011, registered as crime no. 471 of 2011, relating to offences punishable under section 147, 148, 149, 302, 307, 153A, 302, 353, 336, 436, 427 IPC read with 7 Criminal Law Amendment Act, at Police Station Kotwali Rudrapur, District Udham Singh Nagar.

It is a case of riots between two communities in which human lives are lost from both the sides. The FIR discloses that several persons including named thirty seven were involved in the crime. Learned counsel for the petitioner pleaded that petitioner is not named in the FIR. He has taken plea of *alibi*.

Having considered submissions of learned counsel for the petitioner, and learned counsel for the State, and after going through the contents of FIR, this Court is not inclined to interfere with the investigation of the case.

Therefore, the writ petition is dismissed summarily with the observation that if the petitioner Mohd. Asim Khan surrenders before the court concerned his bail application shall be heard, and disposed of without unreasonable delay. (Stay application no. 11267 of 2011, stands disposed of).

(Prafulla C. Pant, J.)

31.10.2011

Parul