

**Court No. - 32**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 7196 of 2020

**Petitioner :-** Yogendra Yadav & others

**Respondent :-** State of U.P.

**Counsel for Petitioner :-** Akash Tomar

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

**Hon'ble Shashi Kant Gupta,J.**

**Hon'ble Mrs. Manju Rani Chauhan,J.**

Heard learned counsel for the petitioners and the learned A.G.A.

This petition has been filed by the petitioners with a prayer to quash the F.I.R. of Case Crime No. 063 of 2020, under Sections 420, 467, 468, 471, 406, 504, 506, 120B IPC, Police Station Partapur, District Meerut.

From the perusal of the F.I.R. it appears that on the basis of the allegations made therein prima facie cognizable offence is made out. There is no ground for interfering in the F.I.R.

Therefore, the prayer for quashing the impugned F.I.R. is refused.

However, considering the allegations made in the FIR, the provisions of Section 157 Cr.P.C. and the view taken by the Apex Court in the case of **Joginder Kumar Versus State of U.P. 1994 Cr.L.J. 1981**, it is directed that the petitioners shall not be arrested in above mentioned case, till the credible evidence is not available against them during the investigation or till the submission of police report under section 173(2) Cr.P.C., whichever is earlier.

With the above direction this petition is finally disposed of.

**Order Date :-** 31.7.2020

Priya