

Anwar Ali and Others Vs. State of U.P. and Others

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Court : Allahabad

Decided On : Nov-15-2010

Judge : Ravindra Singh; Arvind Kumar Tripathi, JJ.

Appeal No. : CRIMINAL MISC. WRIT PETITION No. - 3212 of 2010

Appellant : Anwar Ali and Others

Respondent : State of U.P. and Others

Advocate for Def. : Govt. Advocate; Amir Khan, Advs

Advocate for Pet/Ap. : H.C. Dwivedi, Adv

Judgement :

1. List revised. Learned counsel for the petitioners is not present.
2. Heard learned A.G.A. and perused the record.
3. This petition has been filed with a prayer to quash the impugned First Information Report of Case Crime No.117 of 2010 under sections 498A, 506 I.P.C. and 3/4 D.P. Act, PS. Sahaswan , District Badaun.
4. On the request of learned counsel for the petitioners this matter was referred to the Mediation Centre of this Court. The report of the Mediation Centre shows that both the parties are not willing in mediation.

5. The allegations made in the First Information Report are prma facie disclosing the commission of offence punishable under Sections 498A, 506 I.P.C. and 3/4 D.P. Act.

6. In view of the above, there is no good ground to interfere with this case and the prayer for quashing the impugned First Information Report is refused. The interim order dated 25.2.2010 is hereby vacated.

7. However, considering the fact and circumstances of the case it is directed that in case the petitioners appear before the court concerned within thirty days from today and apply for bail, their bail application shall be considered and disposed of in strict compliance of the directions given by full bench of this Court in the case of Smt.Amrawati and another vs. State of U.P. (2004) (57) ALR, 390.

8. With the above direction this petition is finally disposed of.

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