

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 3510 of 2025

**Petitioner :-** Gyanendra Mishra

**Respondent :-** The State Of U.P. Thru. Secy. Home And 2 Others

**Counsel for Petitioner :-** Dharmendra Kumar Bhatt

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

**Hon'ble Vivek Chaudhary, J.**

**Hon'ble Ram Manohar Narayan Mishra, J.**

1. Heard learned counsel for the petitioner, learned AGA for the State-opposite parties no.1 to 3 and perused the record.
2. The petitioner seek issuance of a writ in the nature of Certiorari for quashing of the First Information Report No. 0147 registered under Section 69, 351(3) B.N.S., Police Station Gangaghat, District Unnao.
3. Submission of learned counsel for petitioner states that in the complaint before the Magistrate for lodging of the F.I.R. and even in the F.I.R., there are no details given with regard to the date, time and place, where the alleged offence had occurred. The F.I.R. is entirely vague with regard to sexual offence.
4. It is apparent that there is a dispute between the parties, hence only to create a pressure upon the petitioner, F.I.R. is lodged against the petitioner.
5. In view of the aforesaid facts, a case for consideration is made out.
6. Let counter affidavit be filed within four weeks.
7. List after four weeks.
8. Considering the submissions made, it is provided that till the next date of listing, the petitioner shall not be arrested on the basis of the impugned First Information Report, unless sufficient and credible evidence is available against him. The petitioner shall, however, cooperate in the investigation and get his statement recorded before the Investigating Officer as and when he is called. If he does not do so, then it can be made a ground for seeking vacation of this interim order.

**(Ram Manohar Narayan Mishra, J.) (Vivek Chaudhary, J.)**

**Order Date :-** 25.4.2025/Arvind