

Court No. - 47

Case :- CRIMINAL MISC. WRIT PETITION No. - 5514 of 2021

Petitioner :- Syed Nazim Ali

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

Counsel for Petitioner :- Arif Ikbal

Counsel for Respondent :- G.A.

Hon'ble Pankaj Naqvi,J.

Hon'ble Naveen Srivastava,J.

Heard Sri Arif Ikbal, learned counsel for the petitioner and Sri A.N. Mulla, the learned A.G.A.

This writ petition has been filed for quashing the FIR dated 23.11.2018, Case Crime No.259 of 2021, under Sections 153-A, 295, 505(2) IPC and 66-D IT Act, P.S. Civil Lines, District Aligarh.

Learned counsel for the petitioner submits that the allegations made in the FIR only amount to discriminatory handling of the COVID situation on the basis of religion, coupled with no decent burial of the floating bodies in the Ganges would at the best amount to criticism of the handling of the COVID situation by the government of the day, as criticism is an essential feature of democracy.

Matter requires consideration.

Learned A.G.A has accepted notice on behalf of the respondents.

Respondents may file counter affidavit within a month. Rejoinder, if any, may be filed within two weeks thereafter.

List in the week commencing **29.11.2021** before the appropriate Bench.

Till the next date of listing, no coercive measure shall be taken against the petitioner in above case, provided he cooperates in the pending investigation.

Order Date :- 17.8.2021 / N.S.Rathour