

Court No. - 48

Case :- CRIMINAL MISC. WRIT PETITION No. - 10321 of 2020

Petitioner :- Sikandar Ali @ Sikandar Abbas

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

Counsel for Petitioner :- Ratnesh Srivastava, Om Narayan Dwivedi

Counsel for Respondent :- G.A.

Hon'ble Manoj Misra, J.

Hon'ble Saumitra Dayal Singh, J.

Heard learned counsel for the petitioner; learned A.G.A. for the respondents 1 and 2; and perused the record.

The instant petition seeks quashing of the **First Information Report dated 04.05.2020 registered as Case Crime No.-0143 of 2020, under Sections-3/5/8 Cow Slaughter Act and Section 67 Information Technology Act, P.S.-Naugawan Sadat, District-Amroha.**

The impugned first information report has been lodged by a sub-inspector of police upon noticing a viral video in the social media which depicted a person having slaughtered a cow and holding out a cow body part as a trophy. The allegation is that upon inquiry, it was found that the person whose video was circulating in the social media is the petitioner.

The contention of the learned counsel for the petitioner is that the petitioner is a resident of Mumbai and neither date nor time of the incident has been disclosed in the first information report, and therefore, the impugned first information report is liable to be quashed.

As the impugned first information report has been lodged on the basis of web post which is viral in the social media, the said post can be taken as a clue for further investigation of the matter. As cow slaughter appears to have been done and a video depicting the same had been posted on the web post, an offence has been committed of which investigation would be required. The prayer of the petitioner to quash the first information report on the ground taken cannot be accepted. However, it is expected that if the petitioner is arrested, before taking further action, it would be verified whether the web post is in respect of the petitioner or some other person.

Accordingly, the petition is **disposed of** with the aforesaid observations.

Order Date :- 6.10.2020

S.Chaurasia