

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 10939 of 2020

Petitioner :- Sanjay Pratap Singh @ Sanju Singh

Respondent :- State Of U P And 2 Others

Counsel for Petitioner :- Narsingh Pandey

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard Sri Narsingh Pandey, learned counsel for the petitioner as well as learned AGA appearing for the State respondents and perused the record.
2. Present petition has been filed with a prayer to direct the respondents to delete the name of the petitioner from history sheet list of police station kotwali Basti, District Basti.
3. Although vide order dated 14.10.2020 time was granted to the learned AGA to file counter affidavit, however, till date no counter affidavit has been filed.
4. In the facts and circumstances of the case, we find that no fruitful purpose would be served by keeping this writ petition pending as the petitioner has an effective alternative remedy.
5. In view of the aforesaid, without going into the merits of the claim of the petitioner, this petition stands disposed of with liberty to the petitioner to file a representation before respondent no. 2-Superintendent of Police, Basti along with certified copy of this order, which shall be considered and decided by the respondent no. 2 on its own merit, preferably within a period of three months from the date of filing of such representation.
6. It is made clear that this Court has not examined the merits of the claim of the petitioner, which shall be looked into by the said respondent while deciding the claim of the petitioner.
7. With the aforesaid observation/direction, this writ petition is finally disposed of. No order as to costs.

Order Date :- 13.12.2023

Abhishek