

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 9816 of 2022

Petitioner :- Akhilesh Kumar

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Ajeet Singh, Kamlesh Kumar

Counsel for Respondent :- G.A., Rajni Ojha, Ravindra Nath Chaubey

With

Case :- CRIMINAL MISC. WRIT PETITION No. - 10298 of 2022

Petitioner :- Rahul Tiwari

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rajesh Nath Tripathi, Kamlesh Kumar

Counsel for Respondent :- G.A., Rajni Ojha, Ravindra Nath Chaubey, Shyam Sunder Maurya

Hon'ble Vivek Kumar Birla, J.

Hon'ble Vinod Diwakar, J.

1. None present on behalf of the informant even in the revised call.
2. Heard Shri Rajesh Nath Tripathi, learned counsel for the petitioner appearing in the connected matter.
3. The relief sought in these petitions is for quashing of the impugned First Information Report dated 18.7.2022, registered as Case Crime No.185 of 2022, under Sections 409, 419, 420, 467, 468 IPC, Police Station- Mohammadabad, District Ghazipur. Further prayer has been made not to arrest the petitioners in the aforesaid case.
4. It is submitted that the crux of the submission has already been noted in the order dated 29.7.2022 by this Court while granting the interim relief in favour of the petitioner. It was highlighted that the present criminal prosecution has been lodged by filing an application under section 156(3) Cr.P.C. by a private person, whereas the educational authorities on inquiry has exonerated the petitioner, and the contents of the counter affidavit filed by the State also placed before this Court to submit that assertion made in the counter affidavit to dislodge the claim of the petitioner. However, it is admitted that the investigation is pending since

2020 and has not been completed so far.

5. In such view of the matter, this Court is of the opinion that the investigation may be concluded preferably within a period of three months from the date of production of a certified copy of this order. We also find that no purpose would be served by keeping the writ petition pending. Accordingly, the instant writ petition is disposed off on the same terms of the order dated 29.7.2022.

Order Date :- 3.11.2023

Anil K. Sharma