

Court No. - 34

Case :- WRIT - A No. - 16647 of 2023

Petitioner :- S.I. C.P. Bhavnath Singh Gangwar

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

Counsel for Petitioner :- Arvind Kumar Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Supplementary affidavit filed today is taken on record.

Heard learned counsel for the parties.

By means of present petition filed under Article 226 of the Constitution, the petitioner has prayed for quashing of the chargesheet and the consequential departmental proceedings.

From the perusal of the first information report which has been brought on record, it clearly transpires that the allegations though were there in the first information report but those were not directed against the petitioner. The petitioner had charged for his misconduct and behaviour and casual way of conducting investigation.

In such above view of the matter, therefore, matter does not stand covered by the judgment of Supreme Court in the case of **Captain M.Paul Anthojy v. Bharat Gold Mine, 1999 (3) SCC 679**. Hence, I do not find it to be a fit case to be interfered with at this stage of chargesheet.

This petition is accordingly dismissed at this stage.

Order Date :- 7.11.2023

Sanjeev