Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 14546 of 2023

Petitioner :- Mohd. Rehan
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Pavan Kumar
Counsel for Respondent :- G.A.,Ashish Pal,Rajeev Kumar Pal

Connected with

Case :- CRIMINAL MISC. WRIT PETITION No. - 14357 of 2023

Petitioner :- Tanu And 2 Others
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Akhilesh Kumar Yadav,Ankit Kumar
Counsel for Respondent :- G.A.,Rajeev Kumar Pal

Hon'ble Vivek Kumar Birla,J.
Hon'ble Vinod Diwakar,J.

1. Sri Akhilesh Kumar Yadav, learned counsel for the petitioner in the connected petition has supplied a copy of the message sent on Whatsapp, which was duly received, to learned counsel appearing for the informant to the effect that the case shall be taken up in the first call. The same is taken on record.

2. Heard Sri Pavan Kumar, learned counsel for the petitioner in the leading petition, Sri Akhilesh Kumar Yadav, learned counsel appearing for the petitioners in the connected petition and learned A.G.A. appearing for the State respondents.

3. Criminal Misc. Writ Petition No. 14546 of 2023 has been filed with the following prayer:-

"I. Issue a writ order or direction in the nature of certiorari quashing the impugned First Information Report dated 25.8.2023 in Case Crime No. 546 of 2023 under Sections 366 IPC, Police Station Kankarkheda, District Meerut."

4. Connected Criminal Misc. Writ Petition No. 14357 of 2023 has been filed with the following prayer:-

"(a) to issue a writ, order or direction in the nature of certiorari for quashing

the impugned First Information Report 25.08.2023 being Case Crime No. 546 of 2023, Under Section 366 I.P.C., Police Station- Kankarkheda, District-Meerut in the interest of justice."

5. At the very outset, Sri Pavan Kumar, learned counsel for the petitioner in the leading petition submits that without knowledge of the fact the petitioner has already filed a writ petition along with two other co-accused he had filed present petition, therefore, he may be permitted to withdraw Criminal Misc. Writ Petition No. 14546 of 2023.

6. Sri Akhilesh Kumar Yadav, learned counsel appearing for the petitioners in the connected petition submits that in view of the fact that the petitioner no.3-Rehan in the present petition subsequently filed another petition, therefore, he may be permitted to withdraw Criminal Misc. Writ Petition No. 14357 of 2023.

7. Prayers aforesaid are allowed.

8. Accordingly, both petitions stand dismissed as withdrawn.

Order Date :- 19.10.2023
Lalit Shukla

Digitally signed by :-
LALIT KUMAR SHUKLA
High Court of Judicature at Allahabad