

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 15049 of 2023

Petitioner :- Mumtaj Ali

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Sunil Kumar Dubey, Pawan Kumar Dubey, Virendra Singh

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla, J.

Hon'ble Vinod Diwakar, J.

1. Heard Sri Virendra Singh along with Sri Pawan Kumar Dubey, learned counsel for the petitioner, Sri Ravi Kant Tiwari, learned counsel appearing for the accused-respondent nos. 4 to 7 and Sri Ratan Singh, learned A.G.A. appearing for the State respondents.

2. This writ petition has been filed with the following prayer:-

"1. Issue a writ of mandamus commanding the Police Commissioner, Prayagraj (Commissionerate Prayagraj) to consider the petitioner's application for transfer of investigation of crime no. 440/2023, under section 323, 452, 307 IPC lodged at P.S. Handia, Prayagraj dated 31.7.2023 to another I.O., so that the fair investigation be done and also take suitable action against the I.O. who has submitted report after 10 days that the case u/s 307, 452 IPC is not make out."

3. Learned A.G.A. has informed this Court that in the present case charge-sheet no. 315 of 2023 dated 10.9.2023 has already been submitted.

4. In such view of the matter, present petition stands dismissed as infructuous.

5. However, the petitioner is at liberty to avail the remedy as may be available to him in accordance with law.

Order Date :- 27.10.2023

Lalit Shukla