

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 16159 of 2023

Petitioner :- Todi Ram

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

Counsel for Petitioner :- Devi Dayal

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Anish Kumar Gupta,J.

1. Heard Sri D.D. Kushwaha, learned counsel for the petitioner and Sri Rajesh Kumar Madheshia, learned State Law Officer.

2. This writ petition has been filed seeking following relief:

(A) Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to re-investigation of Case Crime No. 94 of 2022, under section- 354(Ka) (1) (IV), 354 (Ga), 294, 506 I.P.C., Police Station status- Bah, District- Agra and decide the applications of the petitioner, which is still pending before him;.

(B) Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to decide the application dated 21.06.2023, filled by the petitioner.

(C) Issue any other writ, order or direction as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case. "

3. Admittedly, in respect of the First Information Report lodged by the petitioner, the charge-sheet was submitted, on which further investigation was directed by the Circle Officer and again the charge-sheet has been reaffirmed and has been filed.

4. In this background, we are not convinced with the arguments of learned counsel for the petitioner, claiming re-investigation only on the ground that the respondent no.4 is a powerful person.

5. We do not find any convincing ground available on record to consider the prayer for re-investigation. The petition is accordingly **dismissed**.

6. The petitioner is, however, at liberty to avail any other remedy as may be available to him in accordance with law.

Order Date :- 20.11.2023

Shubham Arya