

Court No. - 93

Case :- APPLICATION U/S 482 No. - 36387 of 2023

Applicant :- Mohammad Atif Khan

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Sheeba Rizvi

Counsel for Opposite Party :- G.A.

Hon'ble Manoj Bajaj,J.

Mohammad Atif Khan-Applicant has filed this application under Section 482 Code of Criminal Procedure for issuance of directions to the opposite party nos.2 & 3 to ensure free and fair investigation by Investigating Officer in Case Crime No. 0247 of 2022, under Sections 420, 467 and 471 IPC, Police Station- Ganj, District- Rampur.

Learned counsel submits that in a complaint moved by the applicant- complainant, it is alleged that the accused had given wrong date of birth in order to secure a job on compassionate grounds, after the demise of his father and after registration of the case through Section 156(3) Cr.P.C., the police wrongly filed a cancellation report. She submits that against the said report filed under Section 173(2) Cr.P.C., the complainant raised objection, whereupon the Court has directed further investigation vide order dated 4.7.2023. She submits that it would be in the interest of justice if the investigation is transferred to some other police officer of another police officer.

After hearing learned counsel and considering her submissions, this Court finds that the grievance of the applicant is being looked into by the court of competent jurisdiction and concededly the further investigation is in progress. At this stage, it would be premature for this Court to observe anything about the investigation, therefore, this Court is not inclined to exercise the inherent power under Section 482 Cr.P.C.

This application is dismissed.

Order Date :- 23.11.2023
Raj