

**Court No. - 46**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 16269 of 2023

**Petitioner :-** Sumit Saxena

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

**Counsel for Petitioner :-** Ashish Kumar Srivastava

**Counsel for Respondent :-** G.A.

**Hon'ble Ashwani Kumar Mishra,J.**

**Hon'ble Syed Aftab Husain Rizvi,J.**

Heard learned counsel for the petitioner and learned AGA for the State.

Petitioner is a Class-IV employee in the civil court, where certain records have gone missing and a First Information Report, registered as Case Crime No. 441 of 2023, under Sections 409 IPC, Police Station Cantt., District Commissionerate Varanasi has been lodged in that regard. Contention is that petitioner is not responsible and that the custodian is someone else.

Petition is opposed by learned AGA.

We have perused the first information report, which categorically makes out a case containing allegation with regard to commissioning of cognizable offence. We would, therefore, not be inclined to embark the factual enquiry, as to who exactly is the responsible person for the missing record .

Writ petition, accordingly, is dismissed.

**Order Date :-** 1.12.2023

Anil