

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 16453 of 2023

Petitioner :- Aijazul Haque @ Noorani And 5 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Mohammad Mustafa

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla,J.

Hon'ble Vinod Diwakar,J.

1. Heard Sri Mohammad Mustafa, learned counsel for the petitioners, learned A.G.A. appearing for the State respondents.

2. This writ petition 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 17.08.2023 being Case Crime/F.I.R. No. 0123 of 2023 (State vs. Aijazul Haque @ Noorani and others), under Sections 323, 504, 506, 498-A IPC and Section 3/4 of D.P. Act, P.S. Golhaura, District Siddharth Nagar.

ii. Issue a writ order of direction in the nature of mandamus directing the Respondent No.2 to not harass and arrest the petitioners in connection with the impugned First Information Report dated 17.08.2023 being Case Crime/F.I.R. No. 0123 of 2023 (State vs. Aijazul Haque @ Noorani and others), under Sections 323, 504, 506, 498-A IPC and Section 3/4 of D.P. Act, P.S. Golhaura, District Siddharth Nagar.

iii. Issue any other writ order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case

iv. Award the cost of the Writ Petition to the petitioners"

3. Learned A.G.A. has informed this Court that in the present case charge-sheet dated 30.9.2023 has already been submitted against the petitioners vide C.D. No.7.

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

5. However, the petitioners are at liberty to avail the remedy as may be available to them in accordance with law.

Order Date :- 30.10.2023

A. Tripathi