

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 16981 of 2023

Petitioner :- Sudama Biyar

Respondent :- State Of U.P. And 11 Others

Counsel for Petitioner :- Vivek Kumar Singh, Sanjay Srivastava

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla, J.

Hon'ble Anish Kumar Gupta, J.

1. Heard Sri Vivek Kumar Singh, learned counsel for the petitioner as well as G.P. Singh, learned AGA appearing for the State respondents and perused the record.

2. Present petition has been filed with a prayer to direct the respondents no. 2 and 3 to supervise for conducting the fair and impartial investigation against the accused respondent nos. 4 to 12 and other unknown miscreants in pursuance to the FIR dated 23.5.2023, registered as Case Crime No. 87 of 2023, under Sections 326, 323, 504, 147 IPC, PS. Pannuganj, District Sonbhadra and to submit its report in accordance with law within some stipulated to be specified by this Hon'ble court.

3. Learned counsel for the petitioner states that he has already approached the learned Magistrate under Section 156 (3) CrPC and two months have passed after the order having been passed.

4. In such view of the matter, we are not inclined to entertain the present petition as the petitioner has already invoked the power of the learned Magistrate under Section 156 (3) CrPC on which direction had also been issued.

5. Present petition stands disposed of in view of the judgement of this Court in ***Ajay Kumar Pandey versus State of U.P. and 2 others reported in 2021 (2) ADJ 239.***

Order Date :- 17.11.2023

Abhishek