

Court No. - 45

Case :- CRIMINAL MISC. WRIT PETITION No. - 17222 of 2023

Petitioner :- Rajesh Dubey

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

Counsel for Petitioner :- Suresh Chandra Pandey, Hare Krishan Pandey

Counsel for Respondent :- G.A.

Hon'ble Vivek Kumar Birla, J.

Hon'ble Vinod Diwakar, J.

1. Heard Sri Suresh Chandra Pandey, learned counsel for the petitioner as well as Sri Ratan Singh, learned AGA appearing for the respondents and have perused the record.

2. Present petition has been filed with a prayer to quash the history sheet no.114-A issued by the Superintendent of Police, Mirzapur opened at Police Station Vindhyachal, District Varanasi and also not to take any coercive measure against the petitioner pursuant to said history sheet.

3. At the very outset, learned AGA appearing for the State-Respondents submits that the petitioner has an effective alternative remedy for redressal of his grievance by filing a representation, which has already been availed, before the respondent no.2 -Superintendent of Police, Mirzapur.

4. In view of the aforesaid, without going into the merits of the claim of the petitioner, this petition stands disposed of with a direction to the respondent no. 2-Superintendent of Police, Mirzapur to consider and decide the representation of the petitioner on its own merit, preferably within a period of three months from the date of filing of such representation.

5. It is made clear that this Court has not examined the claim of the petitioner on merits.

Order Date :- 3.11.2023

Lalit Shukla