

**Court No. - 46**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 18514 of 2023

**Petitioner :-** Sanjeev Kumar Saxena

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

**Counsel for Petitioner :-** Mandvi Tripathi, Santosh Tripathi

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

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

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

This petition has been filed with the prayer to direct the respondents to conduct fair investigation in Case Crime No.1484 of 2021, under Sections 406, 420, 467, 468 & 471 I.P.C., Police Station- Kavi Nagar, District- Ghaziabad.

Petitioner admittedly is the informant. Grievance raised is that investigation is not being conducted in a fair manner.

It appears that investigation has proceeded in the matter and the role of informant himself has surfaced on the basis of material collected during investigation.

Once the petitioner is himself an accused in the F.I.R. lodged by him, his remedy would be to seek appropriate protection under the Code of Criminal Procedure. We are not inclined to entertain the present petition, once the capacity of informant turns into that of an accused. Leaving all issues open for examination before the competent forum, in accordance with the Code of Criminal Procedure, this petition is consigned to records.

**Order Date :-** 5.12.2023

SP/-