

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 19131 of 2023

Petitioner :- Dheeraj Kumar @ Ran Bahadur @ D.K. Thakur

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

Counsel for Petitioner :- Pawan Kumar, Shubhank Chaurasia

Counsel for Respondent :- G.A.

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Petitioner is an accused of offence under Section 304 I.P.C. He has approached this Court for early conclusion of investigation and a direction was issued by the Writ Court in Criminal Misc. Writ Petition No.11987 of 2023. A three member team has also been constituted but the proceedings are not being concluded.

In the facts of the case, we are not inclined to entertain present petition, particularly when a direction has already been issued by the Writ Court to conclude the investigation. In the event there is any disobedience of the direction issued by the Writ Court, the remedy to the petitioner would lie elsewhere. At the instant of present petitioner, who otherwise is an accused, we are not inclined to entertain the writ petition or to proceed any further in the matter. Writ petition is dismissed.

However, dismissal of the writ petition would not preclude the investigating officer to conclude the investigation in terms of the order passed by the Writ Court.

Order Date :- 8.12.2023

MN/-