

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 1761 of 2023

Petitioner :- Atul Kumar Singhal

Respondent :- State Of U.P. Thru. Prin. Secy. Home U.P. Lko.
And Others

Counsel for Petitioner :- Arun Sinha, Siddhartha Sinha

Counsel for Respondent :- G.A., Anil Kumar Tripathi, Ayush
Tandon

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard Shri Siddhartha Sinha, learned counsel for the petitioner, learned A.G.A. for the State/respondents and Shri Anil Kumar Tripathi and Shri Ayush Tandon, for the private respondents and perused the material placed on record.

This writ petition has been filed by the petitioner with the following main prayer :-

"(i) issue a writ, order or direction in the nature of certiorari quashing the impugned FIR (Annexure No.1) registered as Crime No./FIR No.0068/2023, u/s-447, 420, 467, 468, 471, 506 IPC, at PS -Aliganj, District -Lucknow along with the consequential inquiry, investigation, being conducted on the basis of the said FIR."

Learned A.G.A. has produced before this Court instructions dated 22.11.2023 sent by Sub Inspector, Police Station - Aliganj, District Lucknow wherein it has been stated that after due investigation charge-sheet has been filed in the Court of Addl. Chief Judicial Magistrate, Court No.26 on 21.10.2023, under Sections 447, 420, 467, 468, 471, 506 IPC.

Since the Charge-sheet has been prepared by the Investigating Officer, it is presumed that sufficient evidence has been collected and filed with the charge-sheet before the trial court for its evaluation, therefore, this Court feels it to be inappropriate to interfere at this stage.

The writ petition is **dismissed** with liberty to the petitioner to approach the Competent Court for raising his challenge to the charge sheet.

Interim order, if any, stands vacated.

Order Date :- 22.11.2023/ML