

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 2367 of 2023

Petitioner :- Arafat Ahmad

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

Counsel for Petitioner :- Ashish Kumar Singh

Counsel for Respondent :- G.A., Santosh Kumar Dubey, Yugal Kishor Tripathi

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

(1) The instructions filed today are taken on record.

(2) The counsel for the petitioner has pointed out the earlier order passed by this Court on 17.11.2023. He says that he had appeared before the Investigating Officer in pursuance of the said order.

(3) Learned A.G.A., has produced before this Court the instructions sent by Shri Suresh Mani Mishra, the Sub-Inspector of Police Station Kotwali Nagar, District Gonda, wherein it has been stated that the **Charge-sheet** has been prepared on 05.11.2023 and sent to the Supervisory Authority against the petitioner- **Arafat Ahmad** son of Israrul Haque, alongwith **Balveer Singh, Sukhveer Singh, Ashwani Singh, Jasveer Singh** sons of Bhagat Singh, **Khaleel** son of Nazeer and **Taufeeq** son of Khaleel.

(4) 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.

(5) The writ petition is **dismissed** with liberty to the petitioner to approach the Competent Court for raising his challenge to the Charge-sheet.

Order Date :- 2.12.2023

N.PAL