

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 3341 of 2022

Petitioner :- Vibhu Singh Alias Vibhav Singh Thru. His Brother Shubham Singh

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

Counsel for Petitioner :- Suresh Kumar Upadhyay

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the short counter affidavit filed by the State Respondents.

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

"Issue a writ, order or direction in the nature of Certiorari quashing the impugned first informatio report dated 22-09-2021 which was registered at case crime no-0325/2021, U/s 147, 148, 149, 323, 307 I.P.C., P.S. Kurebhar, District Sultanpur, lodged by opposite party no.-4, as contained as Annexure no.1 to this writ petition so far as it relates to the petitioner."

This Court has perused the short counter affidavit filed by the State on 13.07.2023. It has been stated in the said counter affidavit that non-bailable warrant has been issued by the Court concerned against Ankit Singh, Amit Singh, Shubham Singh, Vibhu singh, Manish Harijan and Ram Nihor, on 15.11.2021. The named accused has been granted interim bail from this Court. On the basis of credible evidence collected against Sher Bahadur Singh, Manish Kumar, Ram Nihor, Manoj Kumar Yadav, Amit Kumar, Amarpal Singh, Shubham Singh, Ankit Singh, Rishabh singh and Indra Pal Singh, a charge-sheet was prepared on 31.05.2022 and forwarded to the Supervisory Authority for onward submission to the Court concerned. Although sufficient credible evidence has been found against the petitioner Vibhu Singh

for offence under Sections 147, 148, 149, 323, 325, 307 I.P.C, he has been granted interim protection by this Court and he is not cooperating in the investigation.

Learned counsel for the petitioner has not filed any rejoinder affidavit to the said counter affidavit.

This Court finds no good ground to continue the interim protection granted to the petitioner.

This petition is ***disposed of*** with a direction to the petitioner to approach the Investigating Officer concerned on 02.12.2023 in between 10:00 am to 01:00 p.m. to get his statement recorded.

Order Date :- 28.11.2023

Rahul