

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 3546 of 2022

Petitioner :- Ram Kumar Srivastava

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

Counsel for Petitioner :- Vinay Pandey

Counsel for Respondent :- G.A., Arun Kumar Verma, Deepshikha Singh, Kunwer Dhananjay Singh

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

This writ petition has been filed by the petitioner to issue a writ, order or direction in the nature of mandamus directing the opposite party not to arrest the petitioner and with further prayer for quashing the impugned FIR dated 09.03.2022 registered as FIR no.0114 of 2022 under Sections 420, 406, 504, 506 of I.P.C., police station Vibhuti Khand, District Lucknow.

Learned A.G.A. has filed short counter affidavit before the Court, which is taken on record.

On the basis of the short counter affidavit, learned A.G.A. submitted that charge sheet has been prepared on 23.3.2023 in the matter, therefore, this writ petition may be dismissed as having become infructuous.

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 their challenge to the Charge-sheet.

Order Date :- 6.12.2023

Anuj Singh