

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 3560 of 2022

Petitioner :- Sanjeev Kumar Alias Sanjay

Respondent :- State Of U.P. Thru. Secy. Home Deptt. Civil Sectr. Lko. And Others

Counsel for Petitioner :- Dinesh Kr. Sharma, Sudhir Chaturvedi, Sunil Kumar Singh

Counsel for Respondent :- G.A., Rakesh Kumar Singh, Ram Sajivan Verma

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/respondent nos.1 to 3 and perused the impugned F.I.R. as well as material brought on record.

The instant writ petition has been filed by the petitioner-Sanjeev Kumar alias Sanjay with a prayer to issue a writ, order or direction in the nature of certiorari to quash the impugned F.I.R. dated 30.03.2022 lodged by complainant/respondent no.4 registered as F.I.R. No.98 of 2022, under Sections 363, 366, 366-A I.P.C., Police Station Jaidpur, District Barabanki with a further prayer to issue a writ, order or direction in the nature of mandamus commanding the respondents to not to arrest the petitioner in pursuance of the impugned F.I.R.

Sri Arshad Hafiz Khan, Advocate holding brief of Sri Dinesh Kr. Sharma, learned counsel for the petitioner says that the charge sheet has been filed in the matter and therefore, this petition has 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 :- 22.11.2023

Anuj Singh