

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 3970 of 2022

Petitioner :- Guru Sharan Sahai

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

Counsel for Petitioner :- Arun Kumar Singh Parihar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Mrs. Jyotsna Sharma,J.

(1) Heard the learned counsel for the petitioner and the learned A.G.A. who appears for the Opposite party nos.1, 2 & 3.

(2) This petition has been filed by the petitioner for the following main prayer:-

"1) issue a writ, order or direction in the nature of Mandamus directing the opposite parties nos.1, 2 and 3 to proceed against the opposite party no.4 Mr. Dheeraj Srivastava, in accordance with law in pursuance of orders of this Hon'ble Court and Hon'ble Supreme Court as contained in Annexure Nos.1 to 4 to this writ petition."

(3) Shri Raj Karan Nayyar, presently posted as Senior Superintendent of Police, Ayodhya, is present in person, in Court and has been identified by Shri S.P. Singh, learned A.G.A. He has filed an affidavit in compliance of the order passed by this Court earlier. He has also tendered his unconditional apology and prays for forgiveness for the inconvenience caused to the Court.

(4) It has been further submitted in the affidavit that the accused -Dheeraj Srivastava, has been arrested on 07.11.2023 and such proceedings have been duly entered in G.D. No.037, on 07.11.2023 at 16:38 hours. He was produced before the Court of Additional District Judge/F.C.T.-II, Faizabad, who has sent him to jail by his order dated 07.11.2023. He is presently confined in District Jail, Ayodhya.

(5) It has also been submitted that the Deponent/ Senior Superintendent of Police, Ayodhya, has cautioned the

S.H.O. to be careful in future.

(6) The affidavit is taken on record.

(7) The personal appearance of Senior Superintendent of Police, Ayodhya, Mr. Raj Karan Nayyar, is **dispensed with**.

(8) The petitioner in this writ petition had come before this Court with the aforesaid prayer.

(9) Since the accused Dheeraj Srivastava, has been sent to jail, the writ petition has become infructuous and it is ***dismissed as such***.

Order Date :- 18.11.2023

N.PAL