

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 4111 of 2022

Petitioner :- Vishun Dayal Yadav And Others

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

Counsel for Petitioner :- Raj Kumar Singh

Counsel for Respondent :- G.A.,Amit Srivastava

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

The instant writ petition has been filed by the petitioners-Vishun Dayal Yadav, Jaipal Singh Yadav and Devanand alias Muniraj Yadav with a prayer to issue a writ, order or direction in the nature of certiorari to quash the impugned F.I.R. dated 11.06.2022 lodged by complainant/respondent no.4 registered as F.I.R. No.237 of 2022, under Sections 323, 504, 506 I.P.C. and Sections 3(2)(va) and 3(1)(gha) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), Police Station Tandiyawan, District Hardoi with a further prayer to issue a writ, order or direction in the nature of mandamus commanding the respondents to not to arrest or adopt any coercive measures against the petitioners in pursuance of the impugned F.I.R.

Learned A.G.A. has produced instructions before the Court, which is taken on record.

On the basis of the instruction, learned A.G.A. submitted that charge sheet has been prepared on 24.6.2022.

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