

Court No. - 2

Case :- CRIMINAL MISC. WRIT PETITION No. - 4861 of 2023

Petitioner :- Mahvish

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

Counsel for Petitioner :- Neeraj Singh

Counsel for Respondent :- G.A.

Hon'ble Rajan Roy,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

The petitioner seeks issuance of a writ, order of direction in the nature of mandamus commanding the opposite parties nos. 2 to 4 to take all legal and necessary action, according to law, against the opposite party nos. 5 to 8 in pursuance of FIR lodged by the petitioner on 21.2.2023 at 17.26 Hours, vide FIR No. 130/2023, U/s 143,147,323,506,313,511 IPC at Police Station- Kotwali, District- Unnao. He further seeks issuance of a writ, order of direction in the nature of mandamus commanding the opposite party no. 2 to carry out the investigation in respect of aforesaid FIR in free, fair and impartial manner as well as under his supervision.

The allegation in the writ petition is that the Investigating Officer is not conducting investigation fairly.

The petitioner may approach the Superintendent of Police concerned who shall get the facts verified and ensure fair and proper investigation. If the petitioner is still aggrieved, he may approach the Magistrate concerned in this regard in view of the judgment of Hon'ble the Supreme Court rendered in the case ***Sakiri Vasu Vs. State of U.P. and Ors.*** reported in ***(2008) 2 SCC 409.***

With the aforesaid observations, the writ petition is **disposed of.**

Order Date :- 23.6.2023

Shravan