

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 5149 of 2023

Petitioner :- Sudhir Kumar Singh

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

Counsel for Petitioner :- Sumit Kumar Srivastava

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner, learned A.G.A. for the State Respondents and perused the order passed by this Court on 06.07.2023.
2. Learned A.G.A. for the State Respondents has filed counter affidavit, but the same is not on record.
3. Learned A.G.A. for the State Respondents has produced, a copy of the said counter affidavit, which is taken on record.
4. In paragraph-05 of the same, it has been stated that after F.I.R. was lodged on 20.06.2023, the petitioner has completed the tiling work and a joint inspection was carried out of the Primary School, Jagsara where the work has been found to have been completed. The Consulting Engineer, Sri Ashish Kumar had to submit an evaluation report. In the said evaluation report, it has been submitted that work amounting to Rs.1,02,395.00/- has been done by the petitioner.
5. The writ petition is ***disposed of*** with a direction to the Investigating Officer concerned to hear the petitioner and the opposite party no.4 and also perused the evaluation report of the Consulting Engineer and then take an appropriate decision in the matter.
6. Till such decision is taken and police report is filed under Section 173 (2) of the Cr.P.C., the petitioner shall not be arrested in pursuance of the impugned F.I.R.

Order Date :- 28.11.2023

Darpan Sharma