

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 5217 of 2023

Petitioner :- Laxman Das

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

Counsel for Petitioner :- Akanksha

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Mrs. Jyotsna Sharma,J.

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

2. The present writ petition has been filed with the following prayer:

(i) To issue a writ order or direction in the nature of Mandamus commanding opposite parties particularly opposite party no. 2 and 3 to registered the First Information Report against Opposite party No. 4 and 5 in the light of judgment and Lalita Kumari vs. Government of Uttar Pradesh AIR 2014 SC 187."

3. Learned A.G.A. has produced before this Court instructions, which are kept on record. The said instructions have been sent by the Sub-Inspector P.S.-Kotwali, Ayodhya, Avinash Tripathi wherein alternative remedy have been suggested to the petitioner to approach the court concerned under section 156 (3) Cr.P.C.

4. This Court has gone through the said instructions wherein it has been stated that after application of the petitioner was received, preliminary inquiry was done in the matter. Mahant Bhagwan Das Chela of Late Ram Krishna Das died on 09.01.2022 after prolonged illness.

5. He was being looked after by Shiv Narayan Yadav @ Nate and other members of the said Ashram including Laxman Das. Bhagwan Das was given *jal samadhi* and during such *jal samadhi* program, several reputed and respected persons of the locality were also present. When Bhagwan Das died and he was given *jal samadhi* as is the practice the petitioner was present all along. Video recording of the said *jal samadhi* program is also available with the police. Bhagwan Das died a natural death. Nobody had beaten him up, therefore, no good ground

was found to register the F.I.R. that has been tried to be registered by the petitioner.

6. The writ petition is **disposed of** with a direction to the petitioner to approach the court concerned if he still aggrieved.

Order Date :- 18.11.2023

Sumit Kumar