

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 5997 of 2023

**Petitioner :-** Rajendra Prasad

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

**Counsel for Petitioner :-** Umesh Dixit

**Counsel for Respondent :-** G.A.

**Hon'ble Mrs. Sangeeta Chandra,J.**

**Hon'ble Narendra Kumar Johari,J.**

Heard the learned counsel for the petitioner, learned A.G.A. for the State/respondents and perused the record.

Short counter affidavit filed today is taken on record.

Learned A.G.A., on the basis of counter affidavit states that after due investigation final report has been prepared and the same has been submitted in the competent court on 25.09.2023. Therefore, the writ petition has become infructuous.

Learned counsel for the petitioner states that he had filed the writ petition on 1st August, 2023 praying for transfer of the investigation to any other police station/crime branch or any independent agency. This Court had taken up the matter on 3rd August, 2023 and directed the personal affidavit/counter affidavit to be filed by the S.H.O./Investigating Officer by order dated 3rd August, 2023. Such affidavit was not filed and this Court had directed on 08.12.2023 that in case counter affidavit is not filed by 19.12.2023, the S.H.O. shall appear in person.

It has been submitted that the writ petition having been filed and the allegation having been made against the police authorities, the Final report has been submitted in the court on 25.09.2023.

This writ petition is **disposed of** leaving it open for the petitioner to file a protest petition before the court concerned.

**Order Date :-** 19.12.2023

ML/-