

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7218 of 2022

Petitioner :- Rahul Gupta And 3 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Home Dept. Lko And 3 Others

Counsel for Petitioner :- Arun Kumar Pandey

Counsel for Respondent :- G.A., Prashansa Singh

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the parties.

Short counter affidavit filed today by the learned A.G.A. is taken on record. Learned A.G.A. has pointed out paragraph no. 11 of the same wherein it has been stated that charge sheet has been prepared on 26.12.2022 and submitted to the Circle Officer against Rahul Gupta, Prashuram, Sant Ram and Chandrabhan under Section 34/419/420/467/468/471/147/504/506 I.P.C. and against Manish Kumar Gupta and Sangam Prasad Gupta under Sections 147, 504, 506 I.P.C. Credible evidence has been collected.

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 :- 22.11.2023

Anuj Singh