

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 6811 of 2023

Petitioner :- Surendra Singh

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

Counsel for Petitioner :- Sunil Kumar Mishra

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned AGA for State-respondents and perused the detailed affidavit filed by the Inspector General of Police, Lucknow Zone, Lucknow in pursuance of our earlier order dated 19.09.2023.

It appears that in the preliminary fact finding enquiry that was held by department after the passing of the order it has come out that the petitioner did not take permission from the competent Officer to leave his station and go to another district. The petitioner has been suspended and disciplinary proceedings have been initiated also in the matter whereas the FIR has been lodged under Sections 7/13 of the Prevention of Corruption Act, 1988 and the investigation is being carried out by the Circle Officer, Dalmau, District Raebareli.

Learned counsel for the petitioner, during the course of arguments, has stated that since the disciplinary proceedings have been instituted on the same facts and rely on the evidence as the investigation that is being carried out in case crime no.283 of 2023 impugned in this writ petition, therefore, this Court ought to interfere and stay the arrest of the petitioner.

This Court is of the opinion that it finds no good ground to grant the prayer as made orally by learned counsel for the petitioner. It is apparent that a preliminary fact finding enquiry was held in the matter before FIR was lodged and the disciplinary proceedings were initiated.

This Court finds that cognizable offence is being made out, hence finds no good ground to show interference as prayed in this petition.

The Writ Petition is, accordingly, **dismissed**.

Order Date :- 16.12.2023

Arnima