

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7356 of 2023

Petitioner :- Gulshan Kumar

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

Counsel for Petitioner :- Suresh Chandra
Srivastava, Anshuman Sharma, Athar Ali, Ravindra Kumar
Rai, Shantanu Sharma

Counsel for Respondent :- G.A., Durgendra Kumar Tiwari

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioner at some length and perused the instructions that have been sent by the Investigating Officer Suryabali Yadav, Sub Inspector, Police Station, Mahanagar, District Lucknow wherein it has been stated that the petitioner Gulshan Kumar is a named accused and two other names were surfaced that was of Sadaab and Ratiram during the course of investigation. It has also come out in the investigation that there was an attempt to grab property which was entrusted to them i.e. ambulances issued to them as members of a society by the name of Govansh Raksha Ambulance Seva Dal. The informant had got issued and registered such ambulances in the name of the petitioner and several other named accused. The details of such ambulances which were got issued and registered in the name of the petitioner and others have been mentioned in detail in the instructions received from the Investigating Officer. Certain amount was agreed to be paid by them every month for the work they had to perform in the help of progeny of cow as ambulance managers however, certain amount that was promised was initially paid but later on not paid. As a result, the impugned F.I.R. has been lodged.

This Court having gone through the F.I.R. finds a cognizable offence to be made out. The instructions also have indicated why Section 409 IPC has been added. Accordingly, the writ petition is dismissed.

Order Date :- 17.10.2023

Saurabh Yadav/-