

**Court No. - 10**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 7473 of 2023

**Petitioner :-** Ashish Pandey

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

**Counsel for Petitioner :-** Ashok Kumar Bajpai, Abhishek Kumar, Ajai Kumar Gupta, Anurag Singh Chauhan, Kadambani Lal, Surendra Prasad Gupta

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

**and**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 7410 of 2023

**Petitioner :-** Ravi Shanker Tiwari

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Home Deptt. Govt. U.P. Lucknow And Others

**Counsel for Petitioner :-** Ashok Kumar Bajpai, Abhishek Kumar, Ganesh Prasad Mishra, Kadambani Lal, Surendra Prasad Gupta

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

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

**Hon'ble Ajai Kumar Srivastava-I,J.**

**1.** Heard the learned counsel for the petitioners at length.

**2.** Sri Aakash Prasad, Advocate has filed *vakalatnama* on behalf of respondent No.4/ informant, Sachin Tripathi, who is the General Manager of Secure Value India Limited, who had engaged the petitioners to unload cash from A.T.M. machines that have been setup by various banks

in Lucknow.

**3.** It is the case of the petitioners that they were employees of the company and had approached the company for disbursement of their salary. However, the respondent No.4 was annoyed and out of annoyance, he has lodged the impugned first information report falsely implicating the petitioners.

**4.** This Court has perused the first information report and also the instructions sent by the Inspector Alok Kumar Singh, Crime Branch, Incharge Cyber Cell, Sultanpur wherein it has been stated that on 16.09.2023, the two named accused, namely, Sanjeev Singh S/o Rajendra Prasad Singh and Jay Shanker Tiwari were arrested. From Sanjeev Singh, Rs.1,00,000/- (rupees one lac) in cash was recovered and from the accused, Jay Shanker Tiwari, Rs.5,50,000/- (rupees five lacs and fifty thousand) in cash was also recovered. The two arrested named accused have disclosed the name of one Ravi Shanker Tiwari, who is not named accused in the initial first information report. However, in the said questioning of the two arrested accused, it has also come out that the petitioner, Ashish Pandey, who is also a named accused, was actively involved.

**5.** CCTV footage has also been recovered from the various sites where the A.T.M. machines were installed. During investigation, a fraud of Rs.1,25,31,000/- (rupees one crore twenty five lacs

and thirty one thousands) from A.T.M./ B.N.A. machines has been detected.

**6.** The instructions are kept on record.

**7.** This Court finds no good ground to show interference in the impugned first information report.

**8.** Accordingly, the present writ petitions are **dismissed**.

**(A.K. Srivastava-I, J.) (Sangeeta Chandra, J.)**

**Order Date :- 16.10.2023**

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