

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8789 of 2022

Petitioner :- Ram Prasad

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

Counsel for Petitioner :- Rakesh Kumar Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

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

This writ petition has been filed with the following main prayers :-

"(i) A writ, order or direction in the nature of Mandamus thereby commanding and directing the opp. party nos. 2 to 4 to protect the life and property of the petitioner as well as his family members from the opp. party no.5 and this Hon'ble Court may kindly be pleased to direct the opp. party nos. 3 and 4 not to harass the petitioner as well as his family members on the basis of the F.I.R. in Case Crime No. 214/2022 dated 13.8.2022, under Sections 147, 302, 120-B I.P.C. and 3 (2) (v) S.C./S.T. Act at Police Station Jethwara, District Pratapgarh as contained in Annexure No.1 to this Writ Petition and may further be pleased to direct the opp. party no.2 to provide the police force for cutting the paddy crop of the petitioner in which the opp. party no.5 is making hindrance and for that the petitioner has already represented before the opp. party no.2 vide Representation dated 25.09.2022 as contained in Annexure No.7 to this Writ Petition."

Learned A.G.A. has produced before this Court instructions sent by Sub Inspector, Police Station Jethwara, District Pratapgarh wherein it has been stated that the police are not harassing the petitioner in any manner. Their son Vimal Verma @ Vimal Patel is wanted in case crime no.214/2022, under Sections 147, 302, 120-B IPC and Section 2 (2)(v) of SC/ST Act wherein charge-sheet No.78-A/2022 dated 12th August, 2022 has been filed in the court in which another accused Ram Sevak Verma has also been chargesheeted on 10.12.2022. Abhishek Chaurasiya the named accused in the F.I.R. was

found not to be involved and his name has been deleted. The petitioners' son is absconding and Section 82 Cr.P.C. proceedings have been initiated against him. Also Case Crime No.118/2023 under Section 174A I.P.C. has been lodged against Vijay Verma wherein investigation is pending. Application has been made by the Investigating Officer to the court concerned for issuing process under Section 83 Cr.P.C. also.

Instructions state clearly that the petitioners are not being harassed.

Instructions are kept on record.

The writ petition stands **disposed of**.

Order Date :- 18.12.2023

ML/-