

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7923 of 2023

Petitioner :- Aditya Agarwal And Others

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

Counsel for Petitioner :- Aditya Vikram Shahi, Vikash Poddar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

1. Heard the learned counsel for the petitioners and the learned A.G.A. who appears for the State-respondents.

2. This petition has been filed with the following main prayer:-

"(i) To issue a writ, order or direction in the nature of certiorari quashing the F.I.R. dated 04.06.2023 registered as FIR No. 0289/2023, under Section 147,323,354,506 of IPC at Police Station Vibhuti Khand, District- Lucknow, till it relates to petitioners contained in Annexure No.1 to the writ petition.

(ii) To issue a writ, order or direction in the nature of mandamus commanding the Opp. Parties not to arrest the petitioners in FIR No. 0289/2023, under Section 147,323,354,506 of IPC at Police Station Vibhuti Khand, District- Lucknow."

3. It has been submitted by learned counsel for the petitioners that all the offences invoked against the petitioners carry a punishment up to seven years. Moreover, he has also pointed out that the parties have entered into the compromise.

4. Shri Gyan Sagar Gupta, Advocate has filed Vakalatnama and also an Affidavit sworn by one Shiva Chhabra saying that the matter has been compromised between the parties.

5. This petition is disposed of with a direction to the petitioners and the contesting respondents to approach the Investigating Officer concerned within a week along with the original copy of the compromise, if any which has been signed by the parties. The Investigation Officer concerned shall conduct an inquiry in accordance with law and then take a decision within three weeks thereafter.

6. For a period of four weeks or till the decision is taken, whichever is earlier, the petitioner shall not be arrested in pursuance to the First information Report.

Order Date :- 12.10.2023

Madhu