

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7984 of 2023

Petitioner :- Harishankar Prasad

Respondent :- State Of U.P. Thru. Prin.Secy. Home Deptt. And Others

Counsel for Petitioner :- Uma Shankar Verma

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

1. Heard learned counsel for the petitioner and learned A.G.A. who appears on behalf of the State Respondents.

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

"1. Issue a writ order or direction in the nature of certiorari, quashing the impugned F.I.R. dated 14.05.2023 registered in Case Crime No. 0142 of 2023, Under Sections 419, 420, 467, 468, 471 of I.P.C., Police Station- Kotwali Nagar, District- Balrampur (Annexure no.1 petition). to this writ

2. Issue a writ order or direction in the nature of mandamus, commanding and directing the respondents not pursuance arrest the petitioner in of the impugned F.I.R. dated 14.05.2023 registered in Case Crime No. 0142 of 2023, Under Sections 419, 420, 467, 468, 471 of I.P.C., Police Station- Kotwali Nagar, District- Balrampur"

3. It has been submitted by the learned counsel for the petitioner that the petitioner is completely innocent and has falsely been implicated in the impugned F.I.R.

4. It has been alleged in the F.I.R. that Harishankar Prasad, Assistant Teacher (Commerce) was selected by the Uttar Pradesh Secondary Education Service Selection Board and Office Memorandum in this regard was issued. In compliance of the Supreme Court's Order passed on 17.08.2017, the petitioner was adjusted. However, in the F.I.R. it has been submitted that the petitioner has forged the papers of his adjustment order which is completely wrong.

5. Learned counsel for the petitioner has also referred to

annexure no.2 to the petition.

6. This Court has gone through the F.I.R. and finds that a fact finding inquiry was conducted on suspicion being raised regarding the petitioner's adjustment/Samayojan. In the said inquiry, verification was done by the Board that no such document as alleged was issued by any of the officials. He was not even selected by the Selection Board.

7. This Court finds no good ground to show interference in the F.I.R. as cognizable offence is made out.

8. The writ petition stands ***dismissed***.

Order Date :- 13.10.2023

Darpan Sharma