

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8371 of 2023

Petitioner :- Chandra Shekhar Lodhi

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

Counsel for Petitioner :- Saddam Ahamad Khan

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

(1) Heard the learned counsel for the petitioner and the learned A.G.A. who appears for the Opposite party nos.1, 2 & 3.

(2) This petition has been filed by the petitioner for the following main prayer:-

"1) To issue a writ, order or direction in the nature of Certiorari to quash the impugned First Information Report dated 03.04.2022 vide F.I.R./Case Crime No.0121 of 2022, under Sections 419, 420, 467, 468 & 471 I.P.C., at Police Station Sushant Golf City, District Lucknow, as contained in Annexure No.1 to the writ petition."

(3) It has been submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the impugned F.I.R. He is only a marginal witness of a sale deed and he has been roped in out of personal enmity.

(4) Learned A.G.A. has produced before this Court the instructions sent by the Sub-Inspector of Police Station Sushant Golf City, District Lucknow, wherein it has been stated that during the course of investigation, the seller Mangloo has been arrested on 08.08.2023. Another co-accused namely Chandrika Baksh was found to be dead and therefore, his name was deleted. The petitioner is the marginal witness and he is not cooperating in the investigation and therefore, the Investigating Officer has approached Trial Court which has issued Non-Bailable Warrant against the petitioner. Charge-sheet has been filed on 23.10.2023 against the main accused Mangloo in Court.

(5) This writ petition is ***disposed of*** with a direction to the petitioner to approach the appropriate Court.

Order Date :- 31.10.2023
N.PAL