

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8462 of 2023

Petitioner :- Surendra And Another

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

Counsel for Petitioner :- Srees Kumar Srivastava

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondent Nos.1 and 2 and perused the impugned F.I.R. as well as material brought on record.

The present writ petition has been filed by the petitioners with the prayer to issue a writ, order or direction in the nature of Certiorari for quashing of the impugned F.I.R. dated 14.10.2023, bearing F.I.R./Case Crime No.267/2023, under Sections 363, 366, 120-B I.P.C. at Police Station - Asoha, District - Unnao. A further prayer has been made for issuing a writ, order or direction in the nature of Mandamus commanding and directing the opposite parties not to arrest the petitioners in pursuance to the impugned F.I.R.

It has been submitted by learned counsel for the petitioners that petitioners are completely innocent and have been falsely implicated in the impugned F.I.R. The allegation against the petitioners is that they have helped the accused persons in enticing the sister of the informant.

Learned A.G.A. on the basis of instructions sent by Sub Inspector, Police Station Asoha, District Unnao says that final report No.41/2023, dated 19.10.2023 has been submitted to the supervisory authority in favour of the petitioners.

This writ petition is **disposed of** with the direction to the supervisory authority to take appropriate decision on the said final report within four weeks.

For a period of four weeks, petitioners shall not be arrested in pursuance to the impugned F.I.R. dated 14.10.2023, bearing F.I.R./Case Crime No.267/2023, under Sections 363, 366, 120-B I.P.C. at Police Station - Asoha, District - Unnao.

Order Date :- 3.11.2023

ML/-