

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8564 of 2023

Petitioner :- Sundar Lal And Others

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

Counsel for Petitioner :- Anurag Misra

Counsel for Respondent :- G.A.,Santi,Vijay Kumar Asthana

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. as well as Sri Uday Bhan Pandey, who has filed power on behalf of the opposite party no. 4 and perused the record.

This petition has been filed praying the following reliefs:-

(a) Issue a writ, order or direction in the nature of certiorari thereby quashing the impugned first information report dated 17.10.2023 vide case crime no. 95 of 2023 under Section 323, 328, 506, 376, 504, 386, 342, 214, 379 I.P.C. and Section 67 of the I.T. Act,, lodged at Police Station- Mahila Thana, District-Kheri.

(b) Issue a writ, order or direction in the nature of mandamus commanding the opposite party not to harass, detain or prosecute the petitioner in pursuance of the impugned F.I.R.

This Court has gone through the array of the respondent and finds that the victim has been named in the petition, which is against the mandate of Section 228- A of the I.P.C.

Learned counsel for the petitioner submitted that he wants to withdraw this petition and wants to file fresh one.

The writ petition is, accordingly, **dismissed as withdrawn with the aforesaid liberty.**

Order Date :- 7.11.2023

Anuj Singh