

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8505 of 2023

Petitioner :- Sanjay Kumar Upadhyay

Respondent :- State Of Up Thru Prin Secy (Home) Civil Sectt Lko And Others

Counsel for Petitioner :- Pratiti

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard Ms. Pratiti, learned counsel for the petitioner and learned A.G.A. for the State.

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

"Issue a writ order or direction in the nature of CERTIORARI thereby quashing the impugned first information report lodged by the opposite party no.4 on 18.02.2023 in Case Crime No.0084/2023, under Section 420, 406 I.P.C., Police Station- Hargaon, District- Sitapur, as contained in Annexure No.1 to this writ petition."

It has been submitted by learned counsel for the petitioner that a compromise has occurred between the bank and the informant. The petitioner is only a cashier and has been falsely roped in the impugned F.I.R. A copy of the compromise dated 10.02.2023 has been filed as annexure-3 to the petition.

This petition is ***disposed of*** with a direction to the petitioner to approach the Investigating Officer with the original compromise. The Investigating Officer shall take appropriate action thereafter in accordance with law within a period of four weeks.

For a period of four weeks, the petitioner shall not be arrested in pursuance of the impugned F.I.R. dated 18.02.2023 relating to Case Crime No.0084 of 2023 under Section 420 and 406 of the I.P.C., Police Station Hargaon, District Sitapur.

Order Date :- 3.11.2023

Rahul