

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8616 of 2023

Petitioner :- Asgar Ali And Others

Respondent :- State Of U.P. Thru. Prin. Secy./Addl. Chief Secy. Home, U.P. Lucknow And Others

Counsel for Petitioner :- Iqbal Ahmad

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/respondents and perused the record. Shri Mohd. Mateen, Advocate has filed his Vakalatnama on behalf of respondent No.3, which is kept on record.

Learned A.G.A. has produced before this Court instructions dated 08.11.2023, sent by Sub Inspector, Police Station Kotwali Nagar, District Balrampur, which is kept on record.

This writ petition has been filed by the petitioners with the prayer to issue a writ, order or direction in the nature of Certiorari quashing the impugned F.I.R. dated 26.10.2023, registered against the petitioners Case Crime No.362/2023, under sections 376(D), 323, 506 of the Indian Penal Code, 1860 at Police Station - Kotwali Nagar, District - Balrampur.

Learned A.G.A., on the basis of instructions, states that during investigation sufficient evidence could not be found against the petitioners and, therefore, final report has been prepared and submitted to the supervisory authority on 05.11.2023. Therefore, the writ petition has become infructuous.

In view of the above, the writ petition is **dismissed as infructuous.**

Order Date :- 9.11.2023

ML/-