

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8738 of 2023

Petitioner :- Saurabh Verma

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

Counsel for Petitioner :- Deepak Kumar Pandey, Paritosh Shukla

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

1. Heard learned counsel for the petitioner and perused the instructions that have been sent in pursuance of this Court's order dated 09.11.2023. The order dated 09.11.2023 had directed the learned A.G.A. for the State Respondents to seek instructions.

2. It has been submitted by learned counsel for the petitioner that the petitioner is a minor and working as Peon in the Office being run by the main accused, namely, Ashish Soni and he had no concern with any foreign exchange trading set up that was being run by Ashish Soni.

3. The instructions sent by the Investigating Officer, Rakesh Kumar says that despite repeated attempts to contact the father of the petitioner, Rajesh Verma on phone to ask him about the whereabouts of his son and also the phone numbers and whereabouts of the main accused, Ashish Soni, the petitioner has not cooperated in the investigation.

4. As per the photographs that have been found in the office being run by the Ashish Soni, the petitioner is a close associate of the main accused, Ashish Soni and has remained with him constantly all through out the fraud being carried out by the Ashish Soni. Copies of Bank Statement also show that the petitioner's bank account and the father of the main accused bank account were related to each other, there are several entries in the bank account statements of Saurabh Verma and the father of main accused.

5. It has also been stated in the said instructions that despite repeated attempts to reach the petitioner to get his statement recorded, the petitioner has stayed away has not cooperated in

the investigation, he has also not given any phone numbers on which the main accused could be contacted, although he a close associate of the main accused.

6. The instructions are kept on record.

7. The writ petition is ***disposed of*** with a direction to the petitioner to approach the Investigating Officer of Case Crime No. 577 of 2022 on 07.12.2023 in between 10 AM to 02 PM, his statement shall be recorded. If the petitioner is a minor and his guardian produces the educational document in support of his age the Investigating Officer shall produce the petitioner before the Juvenile Justice Board for appropriate orders to be passed expeditiously.

Order Date :- 5.12.2023

Darpan Sharma