

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9091 of 2023

Petitioner :- Complaint Of F.I.R. No.74 / 2023 Thru.S.H.O.
Lakhimpurkheri

Respondent :- State Of U.P. Thru. Prin. Secy. Home Deptt. U.P.
Govt. Lko. And 4 Others

Counsel for Petitioner :- Anurag Narain Srivastava,Shailendra
Kumar Misra

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard 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 Mandamus commanding the opposite party no.2 to transfer the investigation of First Information Report Having FIR No.74/2023 under Section-354, 504, 506 I.P.C. 7/8 POCSO Act and 3(1)(da) and 3(1)(dha) and 3(2)(5A) of SC/ST Act, Police Station- Majhgae District- Kheri, in the interest of justice registered registered on 22/09/2023 to some other Police Station of District- Kheri, as contained in Annexure No.01 to this writ petition."

Learned A.G.A. has produced before this Court instructions dated 20.11.2023 sent by Sri Dileep Kumar Rai, Sub Inspector, Police Station Majhgae, District Kheri, wherein it has been stated that after the statement of the victim was recorded under Sections 161 and 164 of the Cr.P.C. and collection of evidence, a Charge Sheet bearing No.071 of 2023 has been prepared on 09.11.2023 under Sections 354, 504 and 506 of the I.P.C., Section 7/8 of P.O.C.S.O. Act and Sections 3(1)da, dha, 3(2) (v) A of the S.C./S.T. Act against Waseem s/o Laik. The charge sheet has been submitted to the Supervisory Authority.

Instructions are kept on record.

This petition is ***disposed of*** with a direction to the petitioner to approach the Court concerned, in case the petitioner is still aggrieved by the said charge-sheet.

Order Date :- 29.11.2023

Rahul