

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8873 of 2023

Petitioner :- Monu Kashyap Alias Monu

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil Sectt. Lko And 3 Others

Counsel for Petitioner :- Upendra Kumar Sagar,Vishnu Gaun

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 learned A.G.A. for the State Respondents.
2. This writ petition has been filed with the following main prayers:-

"1) ISSUE a writ order or direction in the nature of Certiorari quashing the impugned F.I.R. bearing case crime No. 0520 of 2023 dated 02.11.2023 under sections 147, 304, 323 and 352 I.P.C. lodged at P.S.- Mohanlalganj, District- Lucknow, in respect of the present petitioner which is contained as ANNEXURE NO. 1 to this writ petition.

2) ISSUE a writ order or direction in the nature of Mandamus. commanding the respondent no. 2 and 3 not to arrest and harass the petitioner in any manner in concern with the case crime No. 0520 of 2023 dated 02.11.2023 under sections 147, 304, 323 and 352 I.P.C. lodged at P.S.- Mohanlalganj, District- Lucknow."

3. It has been submitted by learned counsel for the petitioner that at the time of the incident, he was doing his duty at Indira Gandhi Pratisthan where he was engaged to man entry ticket counter, a copy of the certificate, issued by the partner of the service provider where the petitioners working, has been filed as annexure-02 to the writ petition. Learned counsel for the petitioner also annexed some photographs of the

entrance gate of Indira Gandhi Pratisthan.

4. This Court finds that all the evidence that has been annexed by the petitioner in this writ petition can be evaluated only by the Trial Court.

5. This Court has gone through the F.I.R. and finds a cognizable offence to be made out against the petitioner. There is no good ground to show interference in the impugned F.I.R.

6. Accordingly, the writ petition stands ***dismissed***.

Order Date :- 20.11.2023

Darpan Sharma