

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8866 of 2023

Petitioner :- Usha Singh And Another

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

Counsel for Petitioner :- Maya Ram Yadav, Pankaj Kumar Dixit

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioners and learned A.G.A. for the State Respondents.

This writ petition has been filed with the following main prayers:-

"(i) issue a writ order or direction in the nature of CERTIORARI for quashing the impugned FIR No. 0915/2023, dated 19.10.2023, lodged Under Section- 457/380 IPC at Police Station- Kotwali Nagar, District- Gonda so far as it relates to the petitioners which is contained as ANNEXURE NO. 1 to this writ petition.

(ii) issue a writ, order or direction in the nature of MANDAMUS commanding the opposite parties no. 2 not to arrest to the petitioners in pursuance of aforesaid FIR No. 0915/2023, dated 19.10.2023, lodged Under Section- 457/380 IPC at Police Station- Kotwali Nagar, District- Gonda by the opposite party no. 3 against the petitioners and one another."

Learned A.G.A. has produced before this Court the instruction sent by Sub Inspector- Rakesh Kumar, Police Station- Kotwali Nagar, District- Gonda wherein it has been stated that the petitioners are named in the F.I.R. but they are not cooperating in the investigation.

This writ petition is **disposed of** with a direction to the petitioners to approach the Investigating Officer concerned on 4.12.2023 in between 10:00 a.m. to 2:00 p.m. In case of failure of the petitioners to approach the Investigating Officer, the Investigating Officer shall be at liberty to approach the court concerned for issuance of non bailable warrant against them.

The interim protection granted earlier by this Court shall be extended till 4.12.2023.

Order Date :- 29.11.2023

Anuj Singh