

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9084 of 2023

Petitioner :- Shesh Kumar Singh

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

Counsel for Petitioner :- Anuradha Arora

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:-

"(a) To, Issue a writ, order, direction in the nature of mandamus commanding and directing to the respondents to make a special investigation team for complete justice in the cold blooded murder of the petitioner's nephew.

(b) Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case."

3. Learned A.G.A. for the State Respondents has pointed out that the Police Report has already been prepared and submitted to the concerned Court on 23.09.2023, a copy of which has been filed as Annexure-02 to the petition. Forensic Science Laboratory report is still awaited.

4. Since the Trial Court has already taken cognizance of the Police Report dated 23.09.2023, needless to say that in view of the law settled by the Hon'ble Supreme Court in the case of **CBI Vs. Hemendhra Reddy and Another**, the Trial Court has ample powers under Sections 173(8) of the Cr.P.C. to order further investigation, if necessary.

5. The writ petition is ***disposed of*** with a direction to the petitioner to approach the Court concerned.

Order Date :- 29.11.2023

Darpan Sharma