

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8954 of 2023

Petitioner :- Om Prakash Sharma

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

Counsel for Petitioner :- Devendra Gupta, Prashant Shukla

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner, learned AGA who appears on behalf of State-respondents and Sri Kunwar Ravi Prakash who has filed his Power on behalf of opposite party no. 4.

This writ petition has been filed praying the following main reliefs:

"a. Issue a writ, order or direction in the nature of MANDAMUS commanding the respondent no.3 to transfer the investigation of both the FIRs i.e. FIR dated 19/02/2023, lodged by petitioner as FIR No.54/2023 under Sections-419, 420, 447, 467, 468 and 471 of IPC at Police Station-Wazirganj, District-Lucknow and FIR dated 24/03/2023, lodged by respondent no.4 as FIR No.-0121/2023 under Sections-420, 467, 468 and 471 of IPC at Police Station-Krishna Nagar, District-Lucknow to some different police station to be conducted by one IO in a fair and impartial manner, contained as Annexure No.1 and 2 to this writ petition, in the interest of justice.

b. Issue a writ, order or direction in the nature of MANDAMUS commanding the respondent no.3 to consider and decide the pending representation of the petitioner dated 16/11/2023 in a time bound manner, contained as Annexure No.3 to this writ petition."

It has been submitted by the learned counsel for the petitioner that the petitioner has lodged FIR bearing No. 54 of 2023 under Sections 419, 420, 447, 467, 468 and 471 IPC at Police Station Wazirganj, District Lucknow on 19.2.2023 and the respondent no. 4 has also lodged an FIR bearing No. 0121 of 2023 under Sections 420, 467, 468 and 471 of IPC at P.S. Krishna Nagar, District Lucknow on 24.3.2023. It has further been submitted by the learned counsel of the petitioner that the petitioner wants that both the FIRs be investigated by the same Investigating Officer. He has already submitted a representation to the Director General of Police, U.P., copy of which has been filed as Annexure-3 to the petition and also a representation to the

Commissioner of Police, Lucknow.

In view of the aforesaid, this writ petition is **disposed of** with a direction to the opposite party no. 3, Commissioner of Police, Lucknow to look into the grievance of the petitioner and pass appropriate orders within a period of three weeks from the date of production of a certified copy of this order.

Order Date :- 23.11.2023
AKK