

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8960 of 2023

Petitioner :- Smt. Savita Garg

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

Counsel for Petitioner :- Rajesh Kumar

Counsel for Respondent :- G.A.,R.N. Shukla

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

An Intervention Application has been filed by Sri R.N. Shukla, Advocate on behalf of the Mr. K.K. Mishra, partner of M/s Premier Construction, Lucknow today is taken on record.

Heard learned counsel for the petitioner, learned AGA who appears on behalf of State-respondents and Sri R.N. Shukla, Advocate who has filed the aforesaid application on behalf of Mr. K.K. Mishra, partner of M/s Premier Construction, Lucknow.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Certiorari for quashing of the impugned FIR dated 27.9.2023 registered as Case Crime No. 419 of 2023 under Sections 409 and 420 IPC, P.S. Ghazipur, District Lucknow and for a direction to the respondents not to arrest the petitioner pursuant to the impugned FIR.

It has been submitted by the learned counsel for the petitioner that the similarly placed co-accused had filed Crl. Misc. Writ petition No. 8459 of 2023 (Vijay Kumar Mehrotra Vs. State of U.P. and others) wherein this Court has pleased to grant interim order, copy of the interim order passed in the aforesaid writ petition has been produced before this Court.

This Court has gone through the interim order and also the FIR and finds that the case of the co-accused is completely different from that of the petitioner. It is the petitioner who could have benefited by the misplacement of the original records from the office of Awas Vikas Parishad, therefore, this Court finds no good ground to show interference in the impugned FIR.

In view of the aforesaid, writ petition is **dismissed**.

Order Date :- 23.11.2023

AKK