

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8991 of 2023

Petitioner :- Shaukat Ali

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

Counsel for Petitioner :- Rajeev Mishra, Shashi Kant Tripathi, Vinay Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Narendra Kumar Johari, J.

Heard learned counsel for the petitioner and learned AGA for State-respondents.

Learned counsel for the petitioner has pointed out order dated 24.11.2023, which is quoted herein below:-

"Heard learned counsel for the petitioner and learned A.G.A. for the State.

This petition has been filed with the following main prayer:-

"Issue a writ, order or direction in the nature of Certiorari quashing thereby the impugned First Information Report dated 04.11.2023 by the Opposite Party No.4 against the petitioner registered as F.I.R. No.267 of 2023 under Sections 34/452/323/504/506/307 I.P.C. Police Station- Badosarai, District Barabanki, contained at Annexure No.1 to this writ petition, in the interest of justice."

It has been submitted by learned counsel for the petitioner that initially the F.I.R. was lodged under Sections 34/452/323/504/506 of the I.P.C. Later on, during the course of investigation, Section 307 of the I.P.C. has also been added.

Learned counsel for the petitioner has not filed the copy of medical examination report of the victim.

Learned A.G.A. shall seek instructions from the respondent no.3- Station House Officer, Police Station- Badosarai, District Barabanki, and produce the injury report of the victim on the next date of listing.

List this case on 12.12.2023 as fresh. "

Learned AGA for State-respondents has produced before this Court a copy of case diary, wherein injury report of all the victims have been enclosed/ annexed. The Doctor's statement has also been recorded under Section 161 of the Cr.P.C. wherein it has been stated the victim namely Firdaus has suffered five injuries and atleast two of them were found to be of serious nature. The victim was referred to District Hospital, Barabanki for C.T. Scan and after the C.T. Scan she was referred further to K.G.M.U. for treatment.

This Court having perused the statement of the Medical Officer concerned, finds no good ground to show interference as prayed in this petition.

The Writ Petition is, accordingly, **dismissed**.

Order Date :- 12.12.2023

Arnima