

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9050 of 2023

Petitioner :- Roshan Lal @ Roshan

Respondent :- State Of U.P Thru. Prin. Secy. Home Deptt. Govt. Lko. And 2 Others

Counsel for Petitioner :- Amit Kumar Awasthi, Shubham Shukla

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 A.G.A. for the State-respondents.

This petition has been filed praying the following reliefs:-

(a) Issue a writ, order or direction in the nature of mandamus directing the respondents to decide the application dated 20.10.2023 related to petitioner, in respect of Sessions Trial No. 454 of 1992 arising out in case crime no. 131 of 1991 under Sections 304 (1), 323 I.P.C., Police Station- Kheri, District-Kheri.

(b) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2 to release the petitioner from the jail for the period so the petitioner may arrange the necessary things for marriage of her daughter, in respect of Sessions Trial No. 454 of 1992 arising out in case crime no. 131 of 1991 under Sections 304 (1), 323 I.P.C., Police Station- Kheri, District-Kheri.

It has been submitted by the learned counsel for the petitioner that the petitioner is languishing in District Jail in Lakhimpur Kheri for more than four and half years. The total punishment awarded to him is 6 years imprisonment. The petitioner's daughter is going to get marriage on 7.12.2023, hence this petition has been filed.

Since the petitioner has already filed application before District Magistrate, District- Lakhimpur Kheri on 20.10.2023, which has not yet been decided, therefore, this petition is **disposed of** with a direction to the opposite party no. 3/ District Magistrate, District- Lakhimpur Kheri to decide the aforesaid application of the petitioner expeditiously from the date of production of a certified copy of this order.

Order Date :- 28.11.2023

Anuj Singh