

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9038 of 2023

Petitioner :- Amarnath

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And 7 Others

Counsel for Petitioner :- Dharmendra Kumar Pandey, Prabhat Dwivedi

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 commanding and directing the opposite party no. 1 to 3 to re-investigae the matter of F.I.R. dated 8.6.2023 case crime no. 261 of 2023 under Sections 147, 447, 504, 506 I.P.C. and Section 3 (1) (Da), 3 (1) Dha) of the S.C./S.T. Act Police Station- Mahila Thana, District- Lucknow in pursuance of application dated 6.11.2023 made by the petitioner before opposite party no. 2 as contained in Annexure No. 1 to this writ petition, in the interest of justice

(b) Issue a writ, order or direction in the nature of mandamus commanding the opposite party no 1 to 3 to ensure the protection of life of the petitioner and his family members against the threat by the opposite party nos. 4 to 8 in the interest of justice.

It has been submitted by the learned counsel for the petitioner that Investigating Officer is not conducting a fair and proper investigation, therefore, the present petition has been filed.

Learned A.G.A. has produced before this Court the instruction sent by the Police Station- Nawabganj, District- Gonda wherein it has been stated that due to lack of evidence final report has been prepared on 10.7.2023, which has been submitted to the Supervisory Authority.

The counsel for the petitioner may challenge the said final

report in court by filing a protest petitioner or other legal remedy available to him.

With the aforesaid observation/direction, the writ petition **is disposed of.**

Order Date :- 28.11.2023

Anuj Singh