

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9221 of 2023

Petitioner :- Suraj Singh Alias Lal Singh And Another

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

Counsel for Petitioner :- Nripendra Mishra

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned A.G.A. for the State/respondents and perused the material placed on record.

This writ petition has been filed with the following main prayers :-

"(I) Issue a writ, order or direction in the nature of CERTIORARI to quash the impugned First Information Report dated 09.11.2023, lodged by the opposite party No.4 against the petitioners as F.I.R. No.0558 of 2023, under section 504, 506, 332 I.P.C., at Police Station - Hardi, District - Bahraich contained as **Annexure No.1** to this writ petition.

(II) Issue a writ, order or direction in the nature of MANDAMUS directing the opposite party No.2 not to proceed against the petitioner in any manner including their arrest in connection with First Information Report dated 09.11.2023 lodged by the opposite party No.4 against the petitioners as F.I.R. No. 0558 of 2023 under Section 504, 506, 332 I.P.C., P.S.- Hardi, District - Bahraich."

Learned counsel for the petitioners has submitted that the entire story as made out in the F.I.R. is false. The incident relates to the Community Health Center, situated at Mahsi and the petitioners are running a medical store next to the Community Health Center.

Learned A.G.A. has produced before this Court instructions sent by the Sub Inspector, Police Station Hardi, District Bahraich dated 03.12.2023 wherein it has been stated that after collection of the evidence, Suraj Singh @ Lalu Singh and Virendra Pratap Singh have been found to have forcibly entered

into the Community Health Center, Mahsi and its Out Patient Department and tried to obstruct the employees therein from performing their official duties. Therefore, Charge Sheet No.1468/2023, dated 25.11.2023 has been prepared and submitted to the Circle Officer concerned.

The writ petition is **disposed of** with the direction to the petitioners to approach the Circle Officer concerned in case compromise has occurred between the parties.

Order Date :- 5.12.2023

ML/-