

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9154 of 2023

Petitioner :- Puranlal Pathak @ Puranlal

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

Counsel for Petitioner :- Anurag Pathak, Sarojani Misra, Sonal Pandey

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-respondent as well as Sri Rajeev Kumar Singh, Advocate, who has filed counter affidavit today on behalf respondent nos. 4 to 7.

This petition has been filed praying the following reliefs:-

"(a) Issue a writ, order or direction in the nature of mandamus commanding the opposite parties to take appropriate action against accused persons of First Information Report No. 153 of 2023 under Sections 447, 427, 506, 406 I.P.C. Police Station- Baundi, District- Bahraich contained as Annexure No. 1 and to direct the respondent no. 3 to fair investigation with stipulated period and arrest the accused persons/respondent nos. 4 to 7 in the interest of justice.

(b) Issue a writ, order or direction in the nature of mandamus to direct to transfer the First Information Report No. 153 of 2023 under Sections 447, 427, 506, 406 I.P.C. Police Station- Baundi, District- Bahraich for fair and proper investigation in stipulated time in the interest of justice.

(c) Issue a writ, order or direction in the nature of mandamus commanding the opposite parties to provide security because they are threatening the family members of petitioner and take necessary action against accused persons."

Learned A.G.A. was granted time to seek instruction with regard to allegation as made in the writ petition.

Learned A.G.A. has produced instruction sent by Sub Inspector, Crime Branch, Bahraich wherein it has been stated that in

pursuance of the order dated 9.11.2023, the investigation has been transferred to Crime Branch and the Investigating Officer had issued notice under Section 91 to the petitioner to get statement recorded on 8.12.2023.

The writ petition is, accordingly, **disposed of** in terms of the instructions, which are kept on record.

Order Date :- 13.12.2023

Anuj Singh