

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9291 of 2023

Petitioner :- Arman And Others

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

Counsel for Petitioner :- Manuvendra Singh

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

(1) Heard learned counsel for the petitioners and learned A.G.A. who appears on behalf of the State Respondents.

(2) This 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 F.I.R. dated 04-11-2023 lodged by the opposite party no.4 as contained in **Annexure No.1** to this writ petition.*

*(II) Issue a writ order or direction in the nature of Mandamus directing the opposite parties, not to arrest the petitioner's in pursuance of the impugned First Information Report contained in **Annexure No.-1** to this writ petition. "*

(3) Learned counsel for the petitioners says that the petitioners have been falsely implicated in the impugned F.I.R.

(4) Learned A.G.A. for the State has produced before this Court written instruction sent by the Sub-Inspector of Police, Police Station - Raniganj, District - Pratapgarh, which is taken on record. He says on the basis of instructions that the investigation has been concluded and the Charge Sheet No. 49/2023 was prepared on 27.11.2023, which was forwarded to the Supervisory Authority for onward submission to the Trial Court.

(5) Since the charge sheet has been prepared by the Investigating Officer, it is presumed that sufficient evidence has been collected and filed with the Charge-sheet before the Trial Court for its evaluation, therefore, this Court feels it to be inappropriate to interfere at this stage.

(6) The writ petition is **dismissed** with liberty to the petitioner to approach the Competent Court for raising their challenge to the Charge-sheet.

Order Date :- 7.12.2023

Darpan Sharma