

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9375 of 2023

Petitioner :- Dharmendra Kumar

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

Counsel for Petitioner :- Dinesh Kumar

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

1. Heard learned counsel for the petitioner and learned A.G.A. for the State Respondents.

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

*"1. Issue a writ, order or direction in the nature of Mandamus commanding to the opposite party No.3 i.e Station House Officer, Police Station Malihabad, District-Lucknow to not harass and disturb the peaceful life of petitioner in any manner, contained as **Annexure No.1** to this writ petition, in the interest of justice."*

3. This Court had earlier granted time to the learned A.G.A. for the State Respondents to seek instructions as to why the petitioner is being harassed as alleged in the writ petition.

4. Learned A.G.A. for the State Respondents has produced before this Court written instructions dated 12.12.2023 sent by Sri Gauri Shanker Yadav, Sub-Inspector of Police, Police Station- Malihabad, District- Lucknow wherein it has been stated that the petitioners were in possession of ancestral property/land which they had sold off on 26.06.2021 through notarized affidavit to one Mohd. Aafaq S/o Israr and had again possession of the said land to him also, but thereafter, the petitioners had again sold off the land this time by executing the registered sale deed on 21.12.2023 to one Arti W/o Santosh Kumar R/o Sahilamau,

Hardoi Road, Police Station-Malihabad, Lucknow for Rs. 3,50,000/-, The F.I.R. has been lodged by the earlier purchaser and investigation is going on, there is no harassment as such the petitioner is not the named accused in the said F.I.R.

5. The instructions are kept on record.

6. The writ petition stands ***disposed of.***

Order Date :- 19.12.2023

Darpan Sharma