

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9408 of 2023

Petitioner :- Raj Kishor

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

Counsel for Petitioner :- Jayveer Rajput

Counsel for Respondent :- G.A.,Om Prakash Yadav,Ram Milan Yadav

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned AGA for State-respondents and Shri Ram Milan Yadav, learned counsel for private respondent.

The present writ petition has been filed with a prayer to issue a writ, order or direction in the nature of certiorari for quashing the first information report dated 11.11.2023 at Case Crime No.0311 of 2023 under Sections 354(kha), 323, 504, 506 IPC at Police Station Ajgain, District Unnao and with a further prayer to stay the arrest of the petitioner.

Learned AGA has produced before this Court instructions sent by Sub-Inspector Shri Dharmendra Nath Mishr from police station Ajgain, District Unnao dated 11.12.2023 and the same is taken on record. In the said instructions it has been stated that investigation has been completed and Charge Sheet No.A-283 of 2023 dated 02.12.2023 has been prepared against the petitioner Raj Kishor by the Investigating Officer and forwarded to the Supervisory Authority for onward transmission to Court concerned.

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.

This writ petition is **dismissed** with liberty to the petitioners to approach the competent Court for raising their challenge to the charge sheet.

Order Date :- 13.12.2023

Arnima