

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9390 of 2023

Petitioner :- Poonam Rawat And Another

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

Counsel for Petitioner :- Vineet Kumar Chaurasia

Counsel for Respondent :- G.A.,Rishabh Raj

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioners, learned AGA who appears on behalf of State-respondents and perused the record.

This writ petition has been filed with a prayer to issue a writ, order or direction in the nature of Certiorari for quashing of the impugned First Information Report dated 22.8.2023 registered as FIR No. 0429 of 2023 under Sections 406, 420, 409, 380, 506, 386 IPC at P.S. Madiyaon, District Lucknow and for a direction to the respondents not to disturb personal liberty and peaceful living of the petitioners.

Learned AGA has produced before this Court written instructions dated 11.12.2023 sent by Sri Prem Narayan Pandey, Investigating Officer/Senior Sub Inspector, P.S. Madiyaon, District Lucknow wherein it has been stated that the investigation has been concluded and charge sheet has been prepared in the matter on 17.11.2023.

The instructions are kept on record.

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.

The writ petition is **dismissed** with liberty to the petitioners to approach the Competent Court for raising their challenge to the charge-sheet.

Interim order, if any, stands vacated.

Order Date :- 12.12.2023

AKK