

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9499 of 2023

Petitioner :- Ramanand

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

Counsel for Petitioner :- Chandan Srivastava

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-respondents.

This petition has been filed praying the following reliefs:-

(a) Issue a writ, order or direction in the nature of certiorari thereby quashing the impugned first information dated 7.12.2023, vide case crime no. 549 of 2023 under Section 323, 504, 506 IP.C., lodged at Police Station- Nawabganj, District- Gonda as contained in Annexure-1 to this writ petition.

It has been submitted by the learned counsel for the petitioner that offences mentioned in the impugned First Information Report carry the sentence of upto 7 years of imprisonment. Therefore, the petitioner is entitled to get the benefit of directions issued by the Hon'ble Supreme Court in the case of *Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273*.

Learned A.G.A. has produced instructions sent by Sub Inspector- Sunil Kumar Singh, Police Station- Nawabganj, District- Gonda, wherein it has been stated that charge sheet has been prepared on 9.12.2023 after investigation and sent to the supervisory authority i.e. Circle Officer, Tarabganj, Gonda.

The Court having perused the impugned F.I.R. and instructions, which are kept on record finds that investigation has been completed and no purpose would served in giving protection to the petitioner as aforesaid at this stage. Therefore, there is no ground to show interference.

The writ petition is, accordingly, **dismissed**.

Order Date :- 15.12.2023

Anuj Singh