

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9746 of 2023

Petitioner :- Suraj Gautam And Another

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

Counsel for Petitioner :- Ram Singh

Counsel for Respondent :- G.A., Pankaj Verma

Hon'ble Mrs. Sangeeta Chandra, J.

Hon'ble Karunesh Singh Pawar, J.

Heard learned counsel for the petitioners and learned AGA for the State as well as Shri Pankaj Verma, learned counsel for the complainant.

The petition has been filed with the following main prayer:-

issue a writ, order or direction in the nature of certiorari quashing the impugned first information report dated 18.09.2023 vide case crime/ F.I.R. No. 0545/2023, under section 143, 147, 323, 504, 506, 419, 420, 467, 468, and 471 I.P.C. P. & Gangaghat, Distt. Unnao as contained in Annexure no. 1 on the basis of compromise dated 1.12.2023 as contained in Annexure no. 2 to this writ petition in the interest of justice.

Learned counsel for the petitioner submits that there are six named persons in the FIR, out of which two accused had come before this Court who have been granted interim protection by this Court vide order dated 21.11.2023 passed in Criminal Misc. Writ Petition No. 8593 of 2023. Thereafter the parties have entered into compromise. True copy of the compromise is on record as Annexure No. 2 to the petition.

In view of the above, the writ petition is ***disposed of*** with a direction to the petitioner and the complainant to appear before the investigating officer with true copy of the compromise entered between them. The investigating officer after perusing the compromise shall take a decision strictly in accordance with law.

Let petitioners and respondent no. 4 appear on 26.12.2023 and till 26.12.2023, the petitioners shall not be arrested in pursuance of the impugned FIR.

The Registry is directed to return original compromise to the counsel for the petitioner after retaining the copy of the same.

Order Date :- 22.12.2023

R.C.