

Court No. - 16

Case :- MATTERS UNDER ARTICLE 227 No. - 3598 of 2024

Petitioner :- Pradeep Yadav

Respondent :- State Of U.P. Through Principal Secretary,
Home, Lucknow And 4 Others

Counsel for Petitioner :- Sajjad Husain

Counsel for Respondent :- C.S.C.

Hon'ble Shamim Ahmed,J.

Heard Sri Sajjad Husain, learned counsel for the petitioner, Sri Ashok Kumar Singh, learned A.G.A.-I for the State as well as perused the record.

The instant writ petition has been filed seeking following main relief:-

"(I) Issue a writ order or direction to opposite party no.2 to decide the application dated 12.07.2024 of petitioner contained as Annexure No.1 in the light of law laid down by the Hon'ble Supreme Court in case of Lalita Kumari Vs. Government of Uttar Pradesh and others; 2014(2)SCC1, within the stipulated time and period as this Hon'ble Court may deem fit and proper for securing the ends of justice."

Learned counsel for the petitioner submits that the petitioner has moved an application before the Station House Officer, Police Station Chhapiya, District Gonda on 27.09.2023 and also an application on 12.07.2024 before the Superintendent of Police, Gonda however, till date no action has been taken for lodging of first information report.

On the other hand, learned A.G.A.-I for the State submits that since the petitioner has already moved the application before the authorities concerned, therefore, he may pursue the same otherwise he has a remedy to move an application under Section 175(3) Bharatiya Nagarik Suraksha Sanhita, 2023 for lodging of the first information report. Thus, the relief sought in this writ petition cannot be granted.

After considering the arguments as advanced by learned counsel for the parties as well as after perusal of record, this Court is of the view that since the petitioner has already moved the application before the authorities concerned, however, till date no action has been taken, thus, he has a remedy to move an application under Section 175(3) Bharatiya Nagarik Suraksha Sanhita, 2023 for lodging of the first information report or he

may avail any other remedy as per law for redressal of his grievance.

With the aforesaid observations, the instant writ petition is **disposed of.**

Order Date :- 5.8.2024

Saurabh