

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 7420 of 2023

Petitioner :- Mukesh Kumar Sharma

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

Counsel for Petitioner :- P.K. Singh Bisen, Pallavi Mishra

Counsel for Respondent :- G.A.

Hon'ble Vivek Chaudhary, J.

Hon'ble Om Prakash Shukla, J.

Heard learned Counsel for the petitioner and learned A.G.A. for the State-respondents.

By means of the present petition, the petitioner has sought issuance of direction in the nature of Mandamus commanding the opposite parties more specifically opposite party No.2 to fairly investigate the Case Crime No.164 of 2023 lodged on 20.03.2023 under Sections 302, 201 and 120-B I.P.C. at Police Station-Kotwali City, District-Pratapgarh by another police station or by another investigating agency as the opposite party No.4 who is presently Investigating Officer of the said case crime is working for the accused of the case crime.

Counter affidavit filed today in the Court by learned A.G.A. for the State-respondents is taken on record.

Learned A.G.A. for the State-respondents states that Final report has been submitted to the Supervising Authority on 10.12.2024.

In view thereof, learned Counsel for the petitioner submits that he does not want to press this petition on merits and wants to withdraw the liberty to the petitioner to file/raise objection to the final report within a period ten days' from today.

Learned A.G.A. for the State-respondents has no objection to the prayer made by learned Counsel for the petitioner.

Accordingly, the present petition is ***disposed of***. The petitioner may file/raise objection to the Final Report before the Supervising Authority concerned within a period of ten days'

from today and the Supervising Authority is directed to decide the objection/protest application of the petitioner within a period of three weeks from the date of filing of any such objection/protest application to the final report.

[Om Prakash Shukla, J.] [Vivek Chaudhary, J.]

Order Date :- 18.12.2024

Piyush/-