

**2022 LiveLaw (SC) 201**

**IN THE SUPREME COURT OF INDIA**

**M.R. SHAH; B.V. NAGARATHNA, JJ.**

Writ Petition(s)(Criminal) No(s). 457/2021; 21-02-2022

**GAYATRI PRASAD PRAJAPATI**

*VERSUS*

**STATE OF UTTAR PRADESH & ORS.**

**Constitution of India, 1950 - Article 32 - Code of Criminal Procedure, 1973 - Section 482 - Writ Petition, under Article 32 of the Constitution of India, for the relief(s) prayed to quash and set aside the criminal proceedings/FIR ought not to have been filed - It is not expected that the relief which can be considered by the High Court under Section 482 Cr.P.C. to be considered in exercise of powers under Article 32 of the Constitution of India.**

*For Petitioner(s) Ms. Hemlata Rawat , Adv. Mr. Santosh Kumar, AOR Mr. Aayushmaan Vatsyayana, Adv.*

**ORDER**

Ms. Hemlata Rawat, learned counsel appearing for the petitioner seeks permission to withdraw the present Writ Petition by submitting that by the passage of time it has become infructuous. Even otherwise, we are of the opinion that such type of Writ Petition, under Article 32 of the Constitution of India, for the relief(s) prayed to quash and set aside the criminal proceedings/FIR ought not to have been filed. It is not expected that the relief which can be considered by the High Court under Section 482 Cr.P.C. to be considered by this Court in exercise of powers under Article 32 of the Constitution of India.

Be that as it may as the learned counsel seeks permission to withdraw the Writ Petition, we dismiss this Writ Petition as withdrawn.

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