

Court No. - 9

Case :- CRIMINAL MISC. WRIT PETITION No. - 9394 of 2022

Petitioner :- Amit Kumar Tiwari

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

Counsel for Petitioner :- Pawan Shukla, Amar Singh

Counsel for Respondent :- G.A.

Hon'ble Rajesh Singh Chauhan, J.

Hon'ble Vivek Kumar Singh, J.

Heard learned counsel for the petitioner and learned AGA.

By means of this petition the petitioner has prayed following relief :

"i. Issue a writ, order or direction in nature of mandamus commanding the respondent no. 3 to concluded the investigation and to file police report under section 173(2) Cr.P.C. in the First Information Report dated 23.07.2017 registered in Case Crime No. / FIR No. 0231 of 2017, Under Section 505(2) I.P.C. and 66 Information Technology (Amended) Act, 2008 at Police Station Hazratganj, District Lucknow, as contained in Annexure No. 1 to the writ petition.

ii. Issue a writ, order or direction in nature of mandamus commanding the respondent no. 3 to conduct fair investigation in the first Information Report dated 23.07.2017 registered in Case Crime No. / FIR No. 0231 of 2017, Under Section 505(2) I.P.C. and 66 Information Technology (Amended) Act, 2008 at Police Station Hazratganj, District Lucknow, as contained in Annexure No. 1 to the writ petition."

Sri S.N. Tilhari, learned AGA on the basis of instructions informed that the investigating officer is conducting the investigation strictly in accordance with law fairly and impartially and it is expected that such investigation shall be concluded with expedition subject to cooperation of the parties.

Therefore, in view of the aforesaid instructions, so apprised by Sri Tilhari this writ petition is disposed of with legitimate expectation that the investigating officer shall conduct and conclude the investigation fairly, impartially and strictly in accordance with law and parties shall cooperate in the investigation.

It is needless to say that if any of the parties does not cooperate in the investigation, appropriate steps may be taken by the investigating officer as provided under law.

In view of above, writ petition is ***disposed of***.

.

[Vivek Kumar Singh, J.] [Rajesh Singh Chauhan, J.]

Order Date :- 14.12.2022

Om