

Varun Kumar Gautam vs State Of U.P. And 5 Others on 17 February, 2025

Author: Mahesh Chandra Tripathi

Bench: Mahesh Chandra Tripathi

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:22691-DB

Court No. - 42

Case :- CRIMINAL MISC. WRIT PETITION No. - 1819 of 2025

Petitioner :- Varun Kumar Gautam

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- G.A., Sujan Singh

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Kshitij Shailendra, J.

1. Heard Shri Varun Kumar Gautam, appearing in person, learned Additional Government Advocate for the State-respondents and Shri Sujan Singh, learned counsel appearing for respondent Nos. 5 and 6.

2. The instant writ petition under Article 226 of Constitution of India has been filed by the informant for the following reliefs:-

"(i) Issue as writ, order or direction in the nature of Mandamus commanding and directing the respondent Nos. 2, 3 and 4 to conclude the fair and impartial complete investigation in pursuance of First Information Report dated 26.11.2024 registered at Case Crime No. 455 of 2024, under Sections 191(2), 130, 115(2), 309(4), 352 of Bhartiya Nyaya Sanhita, (B.N.S.)2023, Police Station New Agra, District Agra in prompt manner expeditiously as soon as if possible and to submit it's report under Section 173(2) Cr.P.C. against the accused persons within a stipulated period of time, so fixed by this Hon'ble Court.

(ii) Issue a writ, order or direction in the nature of Mandamus commanding and directing the respondent No.2 to transfer the investigation of Case Crime No. 455 of 2024, under Sections 191(2), 130, 115(2), 309(4), 352 of Bhartiya Nyaya Sanhita, (B.N.S.)2023, Police Station New Agra, District Agra from local Police to any other independent agencies to fair and impartial investigation.

(iii) Issue a writ, order or direction in the nature of Mandamus commanding and directing the respondent No.2 to provide the safety and security to the petitioner/informant, so that justice may be done with the petitioner/informant."

3. Learned Additional Government Advocate, on the instructions received, states that in the instant matter, the police report has been prepared and forwarded to the competent court on 27.12.2024. The same is disputed by the petitioner contending that the police report has not yet reached to the Court.

4. As the petitioner, who is appearing in person, claims to be a practising Advocate at District Agra, the investigation is already completed and police report has been forwarded to the competent court on 27.12.2024, we are not inclined to proceed further in the matter. Needless to say that if the petitioner is aggrieved, he may press appropriate remedy before the competent court as per law.

5. With the aforesaid observation, the writ petition stands disposed of.

Order Date :- 17.2.2025 Sazia