

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (Criminal) No. 1594 of 2021

Ahsan Ansari

...Petitioner

Versus

State of Uttarakhand and others

...Respondents

Present:-

Mr. Bilal Ahmed, Advocate for the petitioner.

Mr. Lalit Miglani, A.G.A. for the State.

Mr. Lalit Sharma, Advocate for the CBI.

JUDGMENT

Hon'ble Ravindra Maithani, J. (Oral)

By means of instant writ petition, the petitioner seeks the following reliefs:-

- (a) Issue a writ order or direction in the nature of Mandamus directing the respondents to change the investigating of Case Crime No. 265 of 2020 under Section 354, 504, 506, 509, 120-B IPC & 43, 66 of IT Act P.S. Kotwali Jawalapur, District Haridwar and hand over the inquiry to CBI.
- (b) Issue any other order or direction which this Hon'ble Court to may deem fit and proper in the circumstances of the case.
- (c) Award cost of the petition.

2. Heard learned counsel for the parties and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner has been wrongly named in the FIR. He was not present at the place of incident, as alleged in the FIR. His location was at some other place.

4 Learned State counsel would submit that in the instant case, charge sheet has already been filed under Section 354, 504, 506, 509, 120-B IPC and Sections 43, 665 of the Information Technology Act, 2000.

5. The petitioner wanted change of investigation, but investigation has already been completed and charge sheet has been filed. Therefore, nothing survives in this petitioner. It deserves to be dismissed.

6. The writ petition is dismissed.

(Ravindra Maithani, J.)
13.03.2023

Jitendra