

**Court No. - 47**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 10889 of 2020

**Petitioner :-** Hariom Kumar

**Respondent :-** State Of U.P. And 2 Others

**Counsel for Petitioner :-** Satya Pal Singh

**Counsel for Respondent :-** G.A.

**Hon'ble Mahesh Chandra Tripathi,J.**

**Hon'ble Narendra Kumar Johari,J.**

Heard learned counsel for the petitioner and the learned AGA for the State-respondents.

The present writ petition has been preferred with a prayer to quash the first information report dated 21.7.2019 registered as Case Crime No. 178 of 2019 under Sections 66-A of Information Technology (Amendment) Act, 2008 and Section 506 IPC, P.S. Bela, District Auraiya.

Vide order dated 15.10.2020, the Court has proceeded to observe that once the offence under Section 66-A of the Information Technology Act, 2000 has been declared ultra-vires by the Hon'ble Apex Court in the case of **Shreya Singhal Vs. Union of India: (2015) 5 SCC 1** under what circumstances the first information report has been lodged under Section 66-A of the Information Technology (Amendment Act, 2008) and accordingly, a direction was issued to the Chief Secretary of State of U.P. to file an affidavit in the matter. Consequently, affidavit has been filed.

Learned AGA has also placed G.D. entry indicating that the investigation is in progress qua to the Section 505 and 506 IPC.

Learned counsel for the petitioner states that at present he does not have any instructions in the matter.

Accordingly, the present writ petition is dismissed for want of prosecution.

**Order Date :-** 12.9.2022

AKK